

4 AUGUST 1947

TABLE OF CONTENTS

	<u>Page</u>
Opening Statement - Pacific War - by Mr. Takahashi	24762
Opening Statement - Subdivision II - Allied Pressure Against Japan, by Mr. Wm. Logan, Jr.	24778
<u>MORNING RECESS</u>	24796
<u>NOON RECESS</u>	24814
<u>AFTERNOON RECESS</u>	24837

I N D E X

of

EXHIBITS

<u>Doc.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
501	2766		Far East Year Book of 1941	24827	
501-A	2766-A		Chart Showing Foreign Trade of Japan Proper 1928 to 1940		24832
501-B	2766-B		Japan's Position in the Foreign Trade of Leading Countries, 1938		24832
1786	2767		Affidavit of OKADA, Kikusaburo		24853

4 AUGUST 1947

I N D E X
of
WITNESSES

Defense' Witnesses

Page

OKADA, Kikusaburo

24853

Monday, 4 August 1947

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Court House of the Tribunal
War Ministry Building
Tokyo, Japan

The Tribunal met, pursuant to adjournment,
at 0930.

Appearances:

For the Tribunal, all Members sitting, with
the exception of: HONORABLE JUSTICE JU-AO MEI, Member
from the Republic of China; HONORABLE JUSTICE E.
STUART McDOUGALL, Member from the Dominion of Canada;
HONORABLE JUSTICE I. M. ZARYANOV, Member from the
USSR; and HONORABLE JUSTICE E. H. NORTHCROFT, Member
from the Dominion of New Zealand, not sitting from
0930 to 1600.

For the Prosecution Section, same as before.

For the Defense Section, same as before.

(English to Japanese and Japanese
to English interpretation was made by the
Language Section, IMTFE.)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Blewett.

4 MR. BLEWETT: On 12 June the Tribunal
5 courteously granted to the defense the privilege
6 of presenting one sub-division of the Pacific War,
7 namely, the evidence relating to the Tri-Partite
8 Pact, at that time, and to defer the general open-
9 ing statement until after the recess.

10 We are now ready to offer that opening
11 statement and to proceed with the defense according
12 to the prepared outline.

13 I present Mr. Takahashi, counsel for
14 Admiral SHIMADA.

15 THE PRESIDENT: Do you like to make any
16 observations on the time this defense is going to
17 take?

18 MR. BLEWETT: Sir, the defense has worked
19 during the recess and worked very diligently, with
20 particular emphasis upon the screening of documents
21 and with reference to presenting only that testi-
22 mony which we thought admissible and pertinent to
23 the case. It is very difficult, sir, even to esti-
24 mate the time within which it will take us to present
25 the matter.

1 THE PRESIDENT: The length of this trial
2 is a serious matter for all of us. In Germany the
3 prosecution took three months and the twenty-one
4 defendants took five months. In Tokyo the prosecu-
5 tion took nearly seven months. Based on that, the
6 defendants in Tokyo should have up to April or May
7 next year to complete their evidence alone. Favor-
8 able comparisions are made between the progress in
9 Tokyo and the progress in Germany, in Germany's fa-
10 vor. The people who make these comparisons don't
11 know the facts. Hitler's wars commenced in 1939.
12 The wars that we are dealing with are alleged to
13 have commenced eleven years earlier. The defense
14 have been giving evidence for four months in Tokyo.
15 In Germany they gave evidence for five months.

16 The defense here are not responsible for
17 the length of this trial. Individual defense
18 counsel may have spent more time on their sections
19 than was justified, but that applies to prosecution
20 counsel also.

21 There is another difference between this
22 trial and that in Germany. In Germany the accused
23 were not merely allowed to give evidence themselves
24 in the box, but they were allowed to address the
25 Court either by themselves or by counsel, and in

1 addition they were allowed to have the last word.
2 Under this Charter the defendants are deprived of
3 the right to have the last word. If they had that
4 right the trial might be considerably shortened.
5 It might shorten the evidence the defendants would
6 otherwise give in the box. During the recess I
7 have frequently discussed with defense counsel
8 and prosecution counsel means of shortening this
9 trial, and I have been informed by defense counsel,
10 by quite a few of them, that if the defendants had
11 the same rights as they had in Germany this trial
12 would be shortened by two months. I express no
13 opinion on that. I don't know.

14 MR. BLEWETT: Sir, with the determined
15 effort which the defense has thus far put in on the
16 Pacific War Phase, and which determined effort we
17 shall continue throughout, I think a fair estimate
18 would be four court weeks.

19 THE PRESIDENT: Mr. TAKAHASHI.

20 MR. TAKAHASHI: I am counsel Mr. TAKAHASHI.

21 I shall now deliver the opening statement
22 with reference to the Pacific War Phase.
23
24
25

1 Mr. President and Members of the Tribunal:

2 We now move into the final phase of the gen-
3 eral defense which concerns the events relating to
4 the Pacific War. The evidence to be presented will
5 establish that Japan and these accused, acting in
6 their representative capacities, did not wage a war
7 of aggression but in reality were involved in a con-
8 flict of self-defense which jeopardized national
9 existence. Much of the matters to be related will
10 drive at the prosecution charge that this was a pre-
11 meditated and long-prepared war. And in so destroy-
12 ing this allegation it will be clearly established
13 that the resultant hostilities were against the
14 wishes of the accused.

15 For expediency and because of its logical
16 sequence, the defense has divided the matters to be
17 presented now into separate sub-divisions, each of
18 which will be preceded by a concise and enlighten-
19 ing opening statement.

20 The prosecution claims that Japan's indust-
21 rialization was planned and pointed for aggressive
22 war. As opposed to this our evidence will show the
23 following state of facts. Japanese industrial economy
24 was conceived out of necessity; developed in accord-
25 ance with civilian requirements and, only as a last

1 resort and after she found herself involved in war,
2 the necessary part thereof was converted for war usage.

3 A proper understanding of Japan's industrial
4 development will necessitate the presentation of back-
5 ground matters showing Japanese economic conditions
6 which necessitated industrialization for her sur-
7 vival. As the years rolled by the population increas-
8 ed and the land became insufficient to support the
9 people. Various measures undertaken to overcome its
10 economy of scarcity failed to alleviate this condition,
11 and industrialization was the natural result. Japan,
12 being an island nation, however, with a paucity of
13 resources, it became imperative for her to import
14 raw materials and manufacture them into finished
15 products for export. This, of necessity, required
16 dependence on trade with other nations and the re-
17 establishment of credits abroad.

18 It will further be shown that from 1931
19 onward, through the medium of high tariffs, import
20 restriction regulations, quota systems, surtaxes and
21 trade blocs, the freedom of Japan's international
22 trade was impeded. Economic pressure increased in
23 severity with each passing month culminating in the
24 violent reaction of December 7, 1941. These encroach-
25 ments on the Japanese right of economic intercourse

1 with the other nations of the world most bitterly
2 expressed themselves in July 1941 with a complete
3 blockade of Japan's import and export trade in those
4 areas outside of East Asia. It was recognized by
5 many in Japan at that time that a continuation of
6 this blockade spelled economic ruin.

7 Paralleling this economic strangulation, a
8 policy of military encirclement of Japan was steadily
9 being pursued by the Western Powers. Commencing with
10 naval rearmament, followed by the mobilization of the
11 manpower of America for both the production of arma-
12 ments and weapons of war and for the conscription of
13 Army and Navy personnel, the United States feverish-
14 ly made preparations for war with Japan.

15 With the Russian Five-Year Plan hanging as
16 an ever-present menace over Japan's head, the United
17 States, pursuing its policy of interference in the
18 conflict between Japan and China, not only gave all-out
19 aid in the way of materials and money but also actively
20 aided Chinese fighting strength by the back-door pro-
21 cedure of providing aerial assistance and military
22 advice to the Chiang Kai-shek regime. Troop reinforce-
23 ments were being concentrated in the Pacific. Fort-
24 ifications were being strengthened and new ones con-
25 structed. Waters surrounding strategic island

1 positions were being mined, and Singapore had been
2 fortified beyond the necessities of ordinary defense.
3 The United States was not alone in her plans for war
4 against Japan but had consulted for a number of years
5 with Great Britain and the Netherlands, with the
6 resultant effect of having formulated elaborate plans
7 for future hostilities. This then was the picture of
8 events from the Japanese point of view.

9 To escape the imminent danger of extinction
10 as a power threatened by these economic and military
11 measures, Japan earnestly sought a way out by peace-
12 ful means. From early 1941 diplomatic negotiations
13 were intensively carried on by three successive
14 Japanese cabinets. Japan exerted every effort to
15 achieve a pacific settlement of matters in dispute,
16 even going to the extreme of twice changing her
17 government to further the negotiations.

18 Throughout the prolonged and complicated
19 diplomatic efforts, conditions continuously worsened.
20 The military high command, faced with the almost
21 certain fact of a complete disruption of diplomatic
22 negotiations and the ultimate failure of pacific
23 solution to the difficulties involved, insisted
24 that if war was inevitable, that war should be com-
25 menced without delay, before the full effect of

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1 Allied economic warfare against Japan should have re-
2 sulted in depletion of Japanese reserves and before
3 Japanese power to defend herself vanished. To this
4 end, the government was strongly urged to reach a
5 decision as to whether they could achieve by negoti-
6 ation the ends so greatly desired by the nation.
7 Realizing the reasonableness of this request of the
8 Military High Command, the Government renewed its
9 efforts by advocating further concessions.

10 In July 1941, after Japan sent troops into
11 Southern French Indo-China by virtue of agreement for
12 a common defense with the Vichy Government, American,
13 British and Dutch reaction expressed itself in the
14 freezing of Japanese assets and the temporary suspen-
15 sion of the American-Japanese negotiations. By these
16 events, relations became strained almost to the break-
17 ing point and change from possibility of war to
18 probability of war was felt on both sides of the
19 Pacific. Thus while the Government was discharging
20 its duties in the diplomatic field, the Military High
21 Command was charged with the responsibility of pro-
22 viding prudent and adequate military safeguards
23 predicated upon the probability of a complete col-
24 lapse of diplomatic negotiations. Although the highly
25 trained and competent Japanese military command could

1 have, at any time, prepared operational plans against
2 the Western Powers, the evidence will show that even
3 when circumstances dictated that danger of hostilities
4 was imminent, no preparations in reality for a war
5 against the United States and Britain had been made.
6 It was not then until 6 September 1941 that serious
7 steps in this regard were taken.

8 Diplomacy having by that date arrived at a
9 stalemate, the Government, while still hoping for a
10 peaceful solution, was compelled to make more defin-
11 ite provisions for the eventuality of war. While
12 contingent operational plans were accordingly made,
13 the evidence will be that, nevertheless, no decision
14 for war was reached even on 6 September. In October,
15 the Government again changed because of a split of
16 opinion between the then leaders as to what course
17 to pursue in face of the increasing diplomatic
18 dilemma. The incoming cabinet undertook to and did
19 reexamine the situation with a view to bringing the
20 negotiations to fruition. By that time internation-
21 al relations had reached such a point that the best
22 of intentions and sincerity, together with the making
23 of all possible concessions by the Government, could
24 not avail to save the situation. Every possibility
25 of saving the situation was thoroughly studied in the

1 Liaison Conferences, and formula after formula based
2 on them was tried. Although the Military High Command
3 could not agree to the immediate and total withdrawal
4 of forces from China in face of the tremendous sacri-
5 fices thus far made to achieve settlement of that
6 problem, the government as the result of feverish
7 endeavors finally succeeded in obtaining the consent
8 of the Military High Command to the Proposals A and
9 B as presented to the United States Government.

10 The 26 November note from the United States
11 to the Japanese Government was accepted as an ultim-
12 atum and brought a virtual end to the Japanese hopes
13 of a pacific settlement of the issues confronting
14 them. That the American demands could not be accepted
15 by Japan was apparent not only to Japanese leaders
16 but to the American authorities and others as well.
17 The United States and her Allies knew that for Japan
18 to accept the conditions therein laid down would have
19 meant literally her disappearance as a power militar-
20 ily, industrially and commercially. What hopes for
21 peace remained in the minds of the governmental lead-
22 ers of Japan at that time died after the receipt of
23 this unyielding dictate from the United States. When
24 on 1 December 1941 Japan, hope all but abandoned, de-
25 cided on war, it was a decision long anticipated by

1 the United States. The attack which followed a week
2 later proved the correctness of the opinions of the
3 highest American authorities as to what the natural
4 consequence would be. That the final Japanese note
5 to the United States was not delivered until after
6 the attack on Pearl Harbor and other points was not
7 the result of intention or design on the part of the
8 Japanese authorities but resulted from circumstances
9 in Washington beyond the control of any of these
10 defendants.

11 The defense has elected to present both the
12 Army and Navy picture relative to their participation
13 in the vital matters at issue before this Tribunal.
14 The prosecution has represented that preparations for
15 aggressive war were made by the Army from 1932 on-
16 wards, with the final objective of waging war against
17 the United States and Great Britain. Substantial
18 proof will show the fallacy of this allegation. The
19 evidence will be, as previously stated, that no plans
20 or preparations reflecting this objective were made
21 prior to 6 September 1941. Before that time, as was
22 the universal custom among nations, annual operation
23 plans were drafted against hypothetical enemies. These
24 plans were of purely military and technical nature.
25 Moreover, Japan was fighting in China. She was

1 menaced by a huge and powerful Army in the North;
2 with nations around her creating large armies and
3 greater navies. She was threatened from every direc-
4 tion. The evidence will reveal that even though Japan
5 desperately needed oil and supplies for her civilian
6 economy she was at the same time warned that if she
7 moved south in quest of it, it meant war. The military
8 leaders of Japan were faced with the duty of carrying
9 out their obligations to their country, of providing
10 for her national security. Although utilizing every
11 means to achieve a peaceful solution by the diplomatic
12 negotiations before mentioned, it was only prudence
13 on those responsible to prepare for the eventuality
14 of war in the event other measures for peace failed.

15 In order to comply with the military needs
16 then presenting themselves, the Army was compelled to
17 extract troops and materials from various units in
18 Manchuria and Japan proper, and especially from
19 China where actual hostilities were in progress.
20 The evidence to be presented will, we submit, clearly
21 indicate lack of preparedness and lack of planning
22 on the part of the Army for purposes alleged by the
23 prosecution, and that operational collaboration with
24 the Axis powers was non-existent.
25

The organization of the Japanese Navy,

1 together with its chain of command, will be duly
2 explained and proven. In refuting certain charges
3 of the prosecution relative to the part played by
4 educational propaganda for war, as so alleged, cer-
5 tain matters will be revealed touching upon the
6 training and teaching of naval personnel. The
7 Washington and London Naval Conferences which have
8 been the subject of considerable evidence thus far
9 adduced against the accused will be treated with
10 emphasis on the sincerity and reasonableness of
11 Japan in supporting the proposals there made.

12 The prosecution allegation and proof adduced
13 thereunder, that the so-called mandated islands were
14 fortified by Japan prior to the outbreak of hostil-
15 ities and in violation of covenant provisions will
16 be totally refuted through the production of wit-
17 nesses testifying as to the actual status of affairs
18 in these areas.

19 It further will be shown that there existed
20 a cleavage of thought between the Army, Navy and
21 civilian officials as to the course of conduct to be
22 followed in dealings with the United States and
23 Great Britain as well as other countries. In
24 portraying this disunity in military circles, the
25 striking impossibility of a conspiracy to wage

1 aggressive war through a combination of mutual intent
2 will be shown.

3 Regarding naval preparations for war, the
4 evidence will be that naval advisors exercised their
5 inherent right to provide adequate naval defense
6 for a nation entirely surrounded by water and that
7 its actions in improving and modernizing this branch
8 of the armed forces was not inconsistent with the
9 actions then being taken by all of the other great
10 powers of the world. It will be shown that the
11 attack on Pearl Harbor was not long in preparation
12 nor was it a premeditated act indicating aggressive
13 tendencies. Rather it was adopted to meet the current
14 situation and reveals a desperateness of thought re-
15 garding war with the great Western Powers in face of
16 the overwhelming odds confronting Japan from a
17 military viewpoint.
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G1 The thought that, in so far as naval action
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e2 was concerned, Japan collaborated with Germany for
e3 the purpose of waging a war or wars of aggression will
n3
b4 be utterly dispelled by the testimony of Chief German
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r5 Naval Attache in Tokyo during this period.
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&6 The defense will produce documents and wit-
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a8 ers of the High Command lived up to the benevolent and
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11 furthest from their wishes. It will be established
12 by competent evidence that neither the Japanese Govern-
13 ment nor the accused ever permitted or condoned such
14 offenses.

15 Relative to the treatment of prisoners of war,
16 Japan was bound by the Hague Convention of 1907 and by
17 the Red Cross Convention of 1929. While not having
18 ratified the Geneva Convention of 1929 and hence not
19 bound by it, Japan gave notice of its intention to apply
20 mutatis mutandis the provisions thereof to prisoners of
21 war under its control, and also as far as possible to
22 interned civilians. It will be shown through army and
23 navy regulations and excerpts from exhibit 1965 that
24 at no time was there any regulation issued which could
25 even be remotely considered prejudicial to the welfare

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23 navy regulations and excerpts from exhibit 1965 that
24 at no time was there any regulation issued which could
25 even be remotely considered prejudicial to the welfare

1 and well-being of prisoners of war and civilian intern-
2 ees.

3 Evidence will be further adduced to show that
4 the problem of supplies and transportation, as a result
5 of unrestricted submarine warfare and allied bombing,
6 were the primary cause for the suffering not only by
7 prisoners of war and civilian internees, but by Japan-
8 ese soldiers as well. It will be shown by witnesses
9 that instances of suffering and mistreatment were iso-
10 lated, and that prisoners of war and civilian internees
11 were given equal treatment with Japanese soldiers.

12 Just as various defendants had opposed the
13 commencement of war but had agreed to it only as a last
14 resort measure of self defense, so during its progress
15 it was believed by some that the war must be ended as
16 soon as possible, and some of them in various ways made
17 attempts even as early as 1942 to bring about its
18 termination. By the spring of 1945, when the SUZUKI
19 Government came into office, some of the ministers
20 entered it on the understanding that the government
21 would attempt to bring about the end of the war. The
22 attempts which had been made, through the US&R and
23 otherwise, prior to July were unavailing. The issuance,
24 however, of the Potsdam Declaration gave rise to very
25 serious dispute in the highest circles of Japan con-

1 cerning the continuation of the war; and in the end,
2 after much violent debate, decision to accept the Pots-
3 dam Declaration was reached on the basis of the interp-
4 retation made by Japan of the conditions contained in
5 that declaration. Japan, therefore, announced her sur-
6 render on 15 August 1945, and the Instrument of Sur-
7 render was signed on 2 September.

8 The evidence in this general phase, then, will
9 show that Japan was not engaged in preparing and waging
10 any war of aggression or in deliberate violation of
11 any existing international treaties and conventions;
12 and that the complex state of international relations
13 existing at the time of the opening of the Pacific War
14 furnished ample support and reasonable grounds for the
15 decision of Japan that it was inevitably driven, not-
16 withstanding strenuous efforts to maintain the peace,
17 to wage a war of self-preservation and in self defense.

18 These are the facts which the evidence to be
19 adduced will establish. Evidence later to be intro-
20 duced on behalf of the defendants individually will
21 clarify the connection of those individuals with these
22 states of facts and what actions each of them took or
23 proposed as a result.

24 THE INTERPRETER: Mr. TAKAHASHI is about four
25 pages behind in the reading.

1 (Mr. TAKAHASHI continued his open-
2 ing statement.)

3 THE PRESIDENT: Mr. Logan, come to the lec-
4 tern, please.

5 Mr. TAKAHASHI, will you stop reading.

6 What is the cause of this long statement in
7 Japanese? We have nothing corresponding with it in
8 English as far as we are aware.

9 MR. LOGAN: This is the same statement, your
10 Honor. It takes a little longer to give it in Japan-
11 ese, but he has about one page more to go.

12 THE PRESIDENT: I have never known such a
13 difference between the Japanese and the English as
14 this.
15

16 (Mr. TAKAHASHI completed his open-
17 ing statement.)

18 MR. TAKAHASHI: Mr. Logan will now proceed
19 with the presentation of the initial subdivision of
20 this phase.
21
22
23
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1 MR. LOGAN: If the Tribunal please, we now
2 present a statement for the Tribunal's consideration
3 in order that it may be the better enabled to under-
4 stand in detail the proof about to be offered of the
5 Japanese view of Allied pressure against Japan. The
6 principal object is to show the effect on Japan of the
7 economic legislation which was passed by the Western
8 Powers commencing in 1930, in disregard of the rights
9 of others, and that in the years immediately preced-
10 ing Pearl Harbor the economic and military pressure of
11 the Western Powers was deliberate, premeditated, and
12 coordinated, and they acted with full and expressed
13 knowledge of the consequences - War. As an affirmative
14 defense it will be shown that the situation became so
15 increasingly oppressive and acute that, true to expect-
16 ations and desires of the Western Powers that Japan
17 strike the first blow, Japan ultimately was forced to
18 make a decision to fight for her very existence. His-
19 tory alone will decide in the years to come whether
20 in the larger sense that hope was justifiable in view
21 of the results. But we are concerned here with the
22 means used to obtain the immediate end of provoking
23 Japan into a state of war.
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25 A proper conception of the effects of the
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25 A proper conception of the effects of the
pressure applied first requires an understanding of

1 the domestic economic conditions in Japan as they ex-
2 isted for some years prior to December 7, 1941. These
3 conditions will demonstrate why Japan established a
4 civilian, industrial economy. After the presentation
5 of those conditions we will then present evidence re-
6 lating to the paralyzing impact of the economic pres-
7 sure applied by the Western Powers and lastly the
8 military encirclement of Japan.

9 As the Tribunal will readily understand,
10 this subject covers a large field and deals with many
11 conditions of a specialized nature. Counsel has made
12 every effort to obtain the best evidence and to narrow
13 the volume of evidence consistent with a fair under-
14 standing by the Tribunal of the magnitude and true
15 facts of the subject. Some of the evidence consists
16 of expert studies made by the United States Tariff
17 Commission and the United States Department of State,
18 and, in so far as such studies are confined to factual
19 statements supported by the statistical tables, they
20 are heavily relied upon by the defense. Other evi-
21 dence from Japanese sources is based on the testimony
22 of experts and expert economic studies and are urged
23 by the defense as entirely reliable and persuasive.
24 Undisputed records from the Pearl Harbor Investigation
25 Report of the Joint Congressional Committee of the

1 Unites States will also be offered.

2 The following facts constitute the evidence
3 we will present. Japan is a rugged, mountainous
4 country of approximate size of the State of California.
5 Not more than 16 per cent of all the land area in Japan
6 is arable and much of the arable land is subject to a
7 slope of 15 degrees or more, which makes agriculture
8 extremely difficult. It was early recognized by the
9 Japanese Government that, in the face of a large in-
10 crease in population annually, the arable land avail-
11 able in Japan was not sufficient to support its people.
12 The population of Japan proper increased from 37,689,000
13 in 1884 to 73,114,000 in 1940. Within the past decade
14 the population has been increasing by approximately
15 800,000 to 1,000,000 persons a year. It has a greater
16 density per arable square mile than any other country.

17 A solution of Japan's population problem was
18 undertaken by the Government. An attempt was made to
19 increase the food supply by expanding the area of
20 arable land and a certain amount of success was ob-
21 tained in this direction. A second measure was under-
22 taken by encouraging agricultural development in Korea
23 and Formosa which also met with a certain amount of
24 success. The third method of improving the situation,
25 by emigration, was encouraged but it proved a failure,

1 one of the principal reasons being the bars erected
2 by many of the Western Powers. The last policy
3 adopted by Japan was domestic industrialization, and
4 foreign trade. In connection with the industrializa-
5 tion, evidence will be presented of industries which
6 are native to Japan and those producing commodities
7 of the kind that have been introduced from Western
8 countries.

9 The development of industrialization in Japan
10 was a gradual process. It was not a creation pointed
11 towards militarism nor geared for conversion into
12 militarism. Because Japan is an island nation with a
13 deficiency in practically every mineral and other raw
14 material resources to support a normal civilian
15 economy, those materials had to be imported from many
16 regions of the world for manufacture and exportation
17 as finished products. It was necessary to sell in
18 export markets in order to obtain the necessary for-
19 eign exchange to pay for these vital imports. Japan
20 was practically and substantially limited in what it
21 could buy for importation by her sales in the export
22 markets. Thus the ability of Japanese industry to
23 expand was automatically limited by the foreign ex-
24 change situation which was always acute for the period
25 of at least 1925 to 1940. Japan had no cotton,

negligible quantities of wool, no metallurgical coal, practically nothing in the way of cattle and hides, no rubber, no iron ore containing a substantial percentage of iron content, insufficient quantities of copper, no tin, zinc, bauxite (principal raw material for making aluminum), insufficient food production, serious deficiency in timber and building lumber, and in many respects it was economically vulnerable both from the standpoint of maintenance of an ordinary civilian economy and livelihood of the people on the one hand and a modest potential for self-defense on the other.

The studies to be presented will show the production, imports, exports and the consumption of the pertinent industries in Japan between the years 1928 and 1939, and for comparative purposes, in some instances, will be carried through the year 1945. These studies include industries, among others, which have a direct bearing upon the civilian economic potential and for self-defense as iron and steel, oil, cotton, wool, rubber, hides, metallurgical coal, iron ore, scrap iron, copper, lead, zinc, cement, food, timber, electrical equipment, tanks, aircraft, trucks, bicycles, shipbuilding and the shipping industry. The industrial potential Japan possessed at the time of Pearl Harbor

1 was barely adequate for the support of a modest self-
2 defense and the requirements of a poverty stricken
3 civilian economy which had virtually been living a hand-
4 to-mouth but progressive existence for at least twenty
5 years.

6 Figures will be presented showing the production
7 of iron and steel between 1928 and 1945; the amounts al-
8 located in various years to the Army and Navy; the ap-
9 proximate amount of iron ore on hand December 7, 1941,
10 and the iron content of the ore; the fact that in 1932
11 Japan had the lowest per capita consumption of iron and
12 steel of any of the principal nations; that during the
13 period 1931 to 1941 Japanese production of iron and steel
14 was woefully insufficient compared to the production of
15 the U.S.S.R., Germany, France, England, and, of course,
16 the United States. At the time of Pearl Harbor the
17 total annual production of the Japanese iron and steel
18 industry was less than the total monthly production of
19 the United States alone. At all times prior to December
20 7, 1941, Japan was entirely dependent on the United States,
21 Netherlands East Indies and Burma for the supply of pe-
22 troleum. Facts and figures will be introduced to show
23 the true condition of the shipbuilding industry in Japan;
24 the scrap and build program; the reasons for government
25 subsidy which paralleled subsidies granted by other lead-

1 ing nations of the world; the conditions of unemploy-
2 ment in the shipyards and other industries during the
3 depression; the fact that Japan never had an excess of
4 bottoms and that the merchant fleet was not designed or
5 constructed for the purpose of war against any nation;
6 that the merchant and fishing tonnage was not at any
7 time excessive in view of the fact that Japan is an
8 island nation whose population in the main resides prin-
9 cipally along its sea coast and relies upon seafood for
10 sustenance; the total truck and trailer production of
11 Japan was absolutely infinitesimal compared with that
12 of other leading nations of the world; that its tank
13 production at all times prior to 1941 was insignificant
14 and that Japanese armored divisions had only one-fifth
15 as many tanks and motorized equipment as an American
16 armored division and one-third the motorized and tank
17 strength of a German division. 1935 marked the humble
18 beginning of the aircraft and aluminum industry in Japan.
19 She was unable to produce sufficient aircraft of her own
20 design until 1937 and that its production up to December
21 7, 1941, was pathetically weak.
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1 In the two decades before 1941, Japan was un-
2 able to produce or sell in the export markets of the
3 world virtually anything other than cotton textiles,
4 raw silk, rubber goods, canned sea food, toys, pottery,
5 pencils, matches, electric light bulbs, agar-agar, and
6 a few other minor items. From 1932 to 1940, however,
7 Japan was a substantial exporter of machinery, tools
8 and other commodities which would ordinarily be stock-
9 piled in this precarious economic situation of Japan
10 if there had been a plan for large scale war.

11 The world wide depression seriously impaired
12 the market for raw silk and other exports of Japan.
13 Economic nationalism which became progressively rife
14 in the world after 1930, among other factors, precipi-
15 tated Japanese export - import trade into a struggle
16 in order to procure the raw materials necessary for
17 the export industry. This trade was vital and indis-
18 pensable to her existence as a modern nation and the
19 very sinews of civilian life in Japan. Following a
20 bottom depression year in Japan in 1931, she began to
21 recover from her depression **in late 1932.** At that time,
22 when practically the entire world was still suffering
23 from the depression, Japan was able to move some goods
24 in old and newly acquired export markets because of
25 lower prices. The fact that Japan was able to sell at

1 lower prices was caused in part by lower labor costs
2 which were not cheap by Oriental standards and by the
3 depreciation of the Yen which occurred notwithstanding
4 strenuous and expensive efforts on the part of the
5 Government to stabilize the value of the Yen.

6 A considerable amount of evidence will be di-
7 rected to the expansion of governmental responsibilities
8 in Japan over a period of years prior to 1941. It
9 will be shown that various governmental regulations
10 directed to selected businesses paralleled similar
11 actions in other foreign countries and were necessary
12 and reasonable measures taken in view of the economic
13 exigencies at the time. Those laws were passed by the
14 Diet. The regulatory measures which were taken prior
15 to July 7, 1937 had no direct or immediate relation to
16 preparation for wars. Those measures taken after July
17 7, 1937, when hostilities in China assumed serious pro-
18 portions, were necessary and reasonable measures taken
19 to meet the then urgent requirements.

20 To refute an inference from prosecution testi-
21 mony that these laws were passed for the purpose of
22 preparation and waging of aggressive warfare and world
23 domination, the purpose of these laws will be shown
24 by statements made by responsible governmental officials
25 at the time the bills were introduced in the Diet. There

1 is no reason to suppose that at that time the purposes
2 of the bills were otherwise than as stated by their
3 sponsors. Some of these laws were to be operative
4 only for a period of time until one year after the
5 termination of the China Incident. Even during the
6 continuation of the Pacific War, the regulation of
7 industry in Japan was not so severe or so extensive
8 as the regulations which were promulgated and enforced
9 in the United States and Great Britain. The economy
10 of Japan was not a "regimented" economy in any total-
11 itarian sense whatsoever prior to the surrender in
12 1945.

13 Commencing with the Hawley-Smoot Tariff Bill
14 in 1930 and the Ottawa Conference in 1932, Japan began
15 to be directly affected by legislation passed and en-
16 forced by Western Powers. Some of the governmental
17 regulations in Japan were passed because of the foreign
18 pressure. For example, Japan being faced with prohibi-
19 tory tariff regulations in various countries with re-
20 spect to cotton textiles, rayon, canned tuna fish, pen-
21 cils, electric lightbulbs, and so forth, was able to
22 alleviate such action to her detriment only by voluntar-
23 ily enforcing quantitative and qualitative quotas; this
24 in turn required governmental intervention to put those
25 Japanese export industries on a quota basis and to

1 fairly apportion the export quota among the producers.

2 For at least two decades prior to 1941 Japan
3 had the largest number of small and middle sized inde-
4 pendent business men in proportion to population known
5 to any country in the world. Because of this very
6 nature of things, it was impossible at any time to
7 channel the economy of Japan along totalitarian lines.
8 Even during the continuance of the Pacific War, it will
9 be shown that the government faced insurmountable prob-
10 lems in endeavoring to synchronize raw materials, pro-
11 duction and labor for an efficient prosecution of the
12 war. The economy of Japan was ill equipped and ill
13 prepared for the China Incident of 1937 and between
14 that date and the middle of 1941 there had been no
15 economic preparation in Japan to fight a Pacific War
16 or any other economic preparation which would indicate
17 that Japan had set out to dominate the world or even
18 a small portion thereof.
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1 It is true that the figures between 1932
2 and 1937 show an increase in the production of
3 virtually every industry in Japan. This is true
4 of industries which have no possible relationship to
5 a war potential as well as some of those industries
6 which have a direct relationship and some of those
7 industries which might be converted to wartime usage.
8 Nevertheless, documentary evidence and the testimony
9 of witnesses will be offered that this increased
10 production in the main went into the civilian economy
11 of Japan and improved the livelihood and economic
12 situation of the people of Japan who for many years
13 had been living on a subnormal standard compared to
14 many leading countries of the world. To say that
15 this increased production was a premeditated and de-
16 signed preparation for a war potential is flirting
17 with the truth.

18 Japan, like other nations of the world, did
19 not desire to live in a status quo or a vacuum. Like
20 other progressive nations, its governmental leaders
21 have constantly sought to improve the standard of living
22 of its people and one of the methods adopted was by
23 international trade and industrialization. Such ad-
24 vance as Japan was able to make in the decade prior to
25 1941 in the standard of living of its people and

1 increase in civilian consumption was an extremely
2 modest advance and at no time prior to 1938 was the
3 civilian consumption curtailed in order to build up
4 a so-called war potential. Between 1938 and the
5 middle of 1941 there was little interference by the
6 government with ordinary civilian consumption except
7 to the extent the government was driven to intervene
8 in limited situations because of the international
9 credit condition and the need to curtail nonessential
10 imports in favor of imports indispensable to the
11 prosecution of the China Incident.

12 In 1939 the Treaty of Commerce and Navigation
13 which had been in existence between Japan and the
14 United States since 1911 was abrogated by the United
15 States, effective January 1940. Embargoes against
16 exportation of materials to Japan were adopted as a
17 policy by the United States. Month after month more
18 and more articles and commodities were added to this
19 list. Vigorous protests were made by Japan at this
20 discriminatory treatment.

21 The military and State Department officials
22 of the United States worked together, although often
23 not in agreement, regarding moves against Japan.
24 When the final July 26, 1941 economic sanctions against
25 Japan were under serious study by the President of the

1 United States he asked the opinion of his military
2 heads as to the advisability of such a step. The
3 opinion given him was definitely that "trade with
4 Japan should not be embargoed at this time" as "an
5 embargo would probably result in a fairly early
6 attack by Japan on Malaya and the Netherlands East
7 Indies and possibly would involve the United States
8 in early war in the Pacific." Not only did "practically
9 all realistic authorities" agree "that imposition of
10 substantial economic sanctions or embargoes" against
11 Japan would "involve serious risk of war," but frank
12 Japanese comment to United States State Department
13 officials was to the effect that such action would
14 create a situation where "Japan would have no alter-
15 native sooner or later but to go to Malaya and the
16 Dutch East Indies for oil and other material." This
17 known reaction of Japan coupled with the President's
18 frank admission that the United States was committed
19 to the "policy of assisting Great Britain" produces
20 an obvious answer to the question of whether the
21 attack on Pearl Harbor really started the war. When
22 the freezing order finally issued on July 26, 1941,
23 the British Empire and the Netherlands East Indies lost
24 no time in following suit. In fact, they took similar
25 steps immediately in violation of their treaty

obligations. The terrific impact of these freezing
1 orders was immediately felt in Japan. It was recog-
2 nized that if continued for any appreciable period
3 of time the Japanese economy would be crippled. These
4 embargoes and freezing orders were deliberately de-
5 signed to paralyze, and in themselves were capable of
6 paralyzing within a short space of time, the entire
7 economy of Japan. They were designed to force Japan's
8 capitulation in China from sheer industrial and raw
9 material exhaustion. One of the principal commodities
10 vitally affected was oil. Without it civilian economy
11 and her entire national security would be strangled.
12 Previous peaceful attempts to obtain sufficient oil
13 from the Netherlands East Indies had failed. From
14 the Japanese point of view those embargoes and
15 freezing orders assumed the gravity and proportions
16 of the denial of a right to live. The reported
17 success of the Russian 5-Year Plan presented another
18 threat to Japan.
19

20 The picture is not complete if it tells only
21 of the economic isolation of Japan from the family of
22 nations. There is more to the story. Simultaneously,
23 the military minds of the great powers were plotting
24 a course of warfare against "Orange." "Orange" was
25 in their war parlance Japan.

1 It might well be said the military plans
2 against Japan reflected two philosophies which
3 varied with the time and turn of events. The first
4 of the plannings simply denoted great countries'
5 military minds performing a routine function of their
6 profession with the actual execution of such prepara-
7 tions considered exceedingly remote. The second of
8 the plannings in a later period recognized the great
9 probability of armed conflict with Japan and expressed
10 strategic measures to meet that situation. It might
11 be restated to say that the initial war plans were
12 based upon the theory "if war comes" and the second
13 plans, dropping the conditional attitude, changed to
14 "when war comes." Thus it will be shown that the
15 wording of the Indictment, "* * * Japan continued at
16 a feverish pace to prepare for war," does not beg its
17 existence of Japanese actions alone but could be
18 applied to those of the Allied Powers. As early as
19 the latter part of 1938 high-ranking Navy officials
20 of the United States and Great Britain held secret
21 conferences in London, discussing and laying plans for
22 mutual cooperation and strategy in the Pacific against
23 Japan. These plans were further discussed and made
24 more definite and certain in a further secret meeting
25 in Washington in early 1941. In addition, in American,

1 Dutch and British conversations held in April 1941,
2 Great Britain was organizing "* * * subversive activities,
3 sabotage and corruption in Japan and Japanese occupied
4 territories" and recommended that the United States
5 do likewise and "coordinate them with those of the
6 British." Great Britain also recommended at that
7 time that the United States follow the steps also
8 being undertaken by her of operating Chinese guerrilla
9 forces, armed, equipped and directed by the Associated
10 Powers.

11 In addition to the formulation of war plans
12 against Japan, it will be shown that upon the insistence
13 of the United States State Department in 1940, the
14 United States fleet in the Pacific was moved from
15 California to Hawaii for no other reason than to
16 threaten Japan into submission to American demands.
17 It will be revealed that the tension between the
18 United States and Japan even at this time was so acute
19 that the commander of the United States fleet did not
20 know whether he was being ordered to actual combat
21 against the enemy or not.

22 Further, the evidence to be adduced will
23 describe the intervention of the United States in the
24 Sino-Japanese conflict to a degree unprecedented be-
25 tween non-belligerent powers. All-out aid to China

became a bold policy of the United States, even
1 though the effect of such assistance literally meant
2 the spilling of more Japanese blood on China soil.
3 The assistance to China took form in the granting
4 of outright loans with little expectancy of repayment,
5 the subtle closing of official eyes and even silent
6 approval while American fighter pilots with American
7 planes engaged in aerial combat against Japanese forces
8 on behalf of China, the sending of economic and mili-
9 tary advisors to Chiang Kai-shek and the shipments of
10 war and food materials.
11

12 During this period the United States was
13 not sleeping in the Pacific. Troop reinforcements
14 were being continuously sent to the Philippines,
15 the laying of mines in the waters surrounding this
16 Island, the fortification of Singapore, the hurried
17 improvement of outflung bases were in progress.

18 This is the picture of affairs in the Far
19 East before the revealing day of December 7, 1941.
20 The powder keg of war with its many fuses was
21 plainly visible for all to see. Who lit the first
22 fuse is all important -- not which fuse set off the
23 first blast.
24
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THE PRESIDENT: Mr. Tavenner.

1 MR. TAVENNER: If the Tribunal please, in
2 the view of the prosecution the opening statements
3 contain many matters irrelevant and immaterial to
4 any issue in the case. A study of the documents
5 proposed to be tendered, we submit, will demonstrate
6 an aggravated rather than an improved situation
7 with regard to the tendering of evidence of a
8 material and relevant nature which can only have the
9 effect of unduly and unnecessarily prolonging judgment or deferring judgment in this case.

12 Mention is made of these matters now, in
13 this general way, that silence on the part of the
14 prosecution may not be construed as approval of the
15 allegations made in the opening statements relative
16 to materiality and relevancy. Specific objections
17 will be made and argued when the documents are
18 tendered in evidence. In several instances the
19 admissibility of hundreds of pages of material will
20 be determined by the ruling of the Tribunal on one
21 document.

22 THE PRESIDENT: The sooner we consider that
23 document, the better. We will adjourn for fifteen
24 minutes.
25

(Whereupon, at 1045, a recess was

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1 taken until 1100, after which the proceedings
2 were resumed as follows:)

3 THE PRESIDENT: Captain Brooks.

4 MR. BROOKS: On the opening statement read by
5 Mr. TAKAHASHI on page 10, if your Honor please, the
6 first paragraph, it was read, I think through error,
7 "Just as the defendants had opposed the commencement
8 of war but had agreed to it only as a last-resort measure
9 of self-defense . ." I think that it is correct to read,
10 "Just as various defendants had opposed the commencement
11 of war but had agreed to it only as a last-resort
12 measure of self-defense ..."

13 I would like to ask that that correction be
14 inserted.

15 THE PRESIDENT: Well, you started to suggest
16 the correction before I had time to find the particular
17 part, but it reads now, "Just as various defendants had
18 opposed the commencement of war ..."

19 MR. BROOKS: That is correct, your Honor, and
20 it was read, "Just as the defendants ...". The word
21 "various" was not used when it came over the microphone.

22 THE PRESIDENT: Well, it is as you want it.

23 MR. BROOKS: Yes, sir.

24 THE PRESIDENT: Mr. Logan.

25 MR. LOGAN: If the Tribunal please, we now

1 offer for identification Japan Yearbook of 1941 - 1942,
2 and offer in evidence excerpt therefrom -- defense docu-
3 ment 1694, pages 35 and 36, showing census figures of the
4 population of Japan from 1920 to 1940.

5 THE PRESIDENT: Brigadier Quilliam.

6 MR. LOGAN: We do not wish to read this document
7 but call the Tribunal's attention to the increase in
8 population in Japan proper from 56,000,000 in 1920 to
9 73,000,000 in 1940; that the number of births had been
10 approximately 2,000,000 each year and the number of
11 deaths approximately 1,200,000 each year. The natural
12 increase in population varies from 600,000 to 1,000,000
13 each year.

14 THE PRESIDENT: Mr. Logan, Brigadier Quilliam
15 got up to take an objection and you didn't allow him to
16 take it but you proceeded to tell us what was in the
17 document. I assume that the Brigadier didn't get up any
18 sooner than was necessary.

19 MR. LOGAN: I am sorry, your Honor.

20 BRIGADIER QUILLIAM: May it please the Tribunal,
21 as my objection applies not only to this document but
22 to the two following ones, I will go on with the objection,
23 if it please the Tribunal.

24 It is our submission that this kind of evidence
25 is too remote and therefore objectionable.

1 THE PRESIDENT: Well, you cannot help yourself
2 to another person's possessions because you have not
3 enough of your own. But Mr. Logan may have been referring
4 to the restrictions on Japanese immigration. The same
5 objection may be taken to that also.

6 BRIGADIER QUILLIAM: May it please the Tribunal,
7 we suggest that kind of evidence can offer no kind of
8 justification in any circumstances. May I direct the
9 attention of the Tribunal to the fact that the prosecution
10 showed in evidence that in January 1941 the Cabinet
11 actually took measures to increase for war purposes the
12 population of Japan.

13 THE PRESIDENT: As the reasons were read by
14 Mr. TAKAHASHI and Mr. Logan I was trying to recall how
15 many of them appeared in the records of the proceedings
16 of the Japanese Privy Council giving the cause for war.
17 But the defense may, of course, be able to satisfy us
18 that the real reasons for the war did not appear in the
19 minutes of the Privy Council, in the minutes of the pro-
20 ceedings before the Emperor himself, in the minutes of
21 meetings attended by the highest people of Japan over two
22 decades. All I am suggesting now is it is very difficult,
23 perhaps, to satisfy us that the real reasons for Japan's
24 action do not appear in the Privy Council minutes and
25 elsewhere in their official records but in documents about

to be produced by the defense.

1 BRIGADIER QUILLIAM: The particular document,
2 if it please your Honor, that I wish to refer to with
3 reference to the policy for increase in the population,
4 which we suggest is quite inconsistent with the defense
5 present attitude, is exhibit 865, and is contained in the
6 transcript at page 8807.
7

8 THE PRESIDENT: If I recollect rightly, there
9 is in evidence of the prosecution a document from the
10 highest sources, which, if it is to be believed, shows
11 that the Japanese aimed at a population of one hundred
12 million for purposes of war. Every observation of mine
13 is directed to the real question, probative value.
14

15 BRIGADIER QUILLIAM: I can respectfully assure
16 your Honor that your Honor's recollection as to the
17 contents of this document is correct. We submit, if it
18 please the Tribunal, that this document should be re-
19 jected.
20

21 THE PRESIDENT: Mr. Logan.

22 MR. LOGAN: I thought I had made it abundantly
23 clear in my opening statement what we intended to prove
24 by the documents we are about to offer. In the first
25 place, this is background material, which should not take
very long to offer in evidence, and it is offered to
contradict and contravert the prosecution contention

1 that industrialization in Japan was for the avowed and
2 express purpose of building up a plan for aggressive war.

3 THE PRESIDENT: Mr. Logan, as a matter of common
4 sense, what is the use of overloading us with population
5 statistics from the Japanese Yearbook when you have that
6 document from the highest sources showing the Japanese
7 aimed at one hundred million for war purposes? Your real
8 purpose should be to attack that document, to show that
9 it does not state the facts, to show, if you can, that it is
10 not an authentic document at all. You are not going to
11 contradict it by these statistics from Japanese Yearbooks.

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1 MR. LOGAN: I am afraid the prosecution has
2 steered the Tribunal off on a tangent. I am not
3 interested in that document. I do not think any of
4 these men in the box here are interested in it. I
5 am interested in showing that the sinister aspect that
6 the prosecution placed on industrialization in Japan
7 is not true. Because a few men in the Privy Council
8 say something which is not concurred in or voted for
9 or approved of by many of these accused, if not most and
10 if not all of them, that has nothing to do with the
11 facts as I am trying to present them here, to show
12 that that industrialization in Japan was an absolute
13 necessity and not for war purposes.

14 I have just been handed exhibit 865. It is
15 not a document of the Privy Council. It is something
16 that belonged to the Planning Board.

17 BRIGADIER QUILLIAM: May it please the
18 Tribunal, I had come to the microphone in order to
19 correct the misstatement that it was a document of the
20 Privy Council. It is, in fact, a decision of Cabinet.

21 THE PRESIDENT: And a decision made before the
22 war started, and not after.

23 BRIGADIER QUILLIAM: May I be permitted, your
24 Honor, to correct another misstatement made
25 unconsciously, no doubt, by my learned friend.

1 to remind the Tribunal, though probably that is
2 quite unnecessary, that Mr. Liebert came here as a
3 witness and was subject to cross-examination. He
4 brought with him and had in court with him all the
5 material upon which his statistics were based.

6 THE PRESIDENT: While he was giving evi-
7 dence we repeatedly said we would disregard his
8 opinions.

9 BRIGADIER QUILLIAM: Yes. Although the
10 defense were invited to ask questions with regard
11 to his facts, to his statistics, practically none
12 was asked. Later in the case Japanese counsel,
13 when a witness was giving evidence with regard to
14 electricity undertakings, confirmed the accuracy
15 expressly of Mr. Liebert's figures. It is therefore
16 submitted that the comparison suggested by Mr. Logan
17 is invalid.

18 THE PRESIDENT: Mr. Logan.

19 MR. LOGAN: If the Tribunal please, I made
20 no comparison between the author of this document
21 and Mr. Liebert. I did mention it in connection
22 with Mr. Fahs.
23

24 In the case of Liebert, we tried to ascer-
25 tain on direct and on cross-examination from where
he got his information, and we never did get it.

1 An offer was made by the prosecutor, Brigadier
2 Quilliam, that they would produce him whenever we
3 asked for him. Two men from our section went up to
4 see Liebert after he completed his testimony, and
5 he had sent all his documents back. He did not give
6 us the information.

7 THE PRESIDENT: You said you were not
8 relying on the reception of Liebert's evidence when
9 you pressed this. Don't let us get into a debate
10 about Liebert's evidence unless it is necessary.

11 MR. LOGAN: I didn't intend to until my
12 friend raised the question here. I mentioned Lie-
13 bert on a previous document, not on this one. But
14 I did wish to point out that Liebert did not draw up
15 all the evidence himself. He got it from some docu-
16 ments and this may be one of the documents he got it
17 from. I don't know; I can't tell.

18 As far as his facts and figures are concerned,
19 he submitted an affidavit over 127 pages long. There
20 are very few charts in it. It contains statements
21 of fact, opinions, and conclusions. Your Honor said
22 you would disregard his opinions and conclusions, but
23 where did he get his facts? That is exactly what we
24 are trying to prove in the documents we are offering --
25 facts. The mere fact that Brigadier Quilliam says

1 it is opinion and conclusion doesn't make it so.
2 I ask the Tribunal to read this document we are
3 offering, to see if it has opinions and conclu-
4 sions. It is a fair comment by the author.

5 THE PRESIDENT: Perhaps TAKAHASHI can
6 do for you what Liebert did for the prosecution --
7 come here and take the box. We can't prevent
8 you replying to Liebert. Why not call TAKAHASHI,
9 if he is available, and let him make an affidavit
10 as Liebert did. Let him go into the box and stand
11 up to it.
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1 MR. LOGAN: The situation is entirely differ-
2 ent, your Honor. Liebert prepared a document and ob-
3 tained the information from other documents. Now, we
4 do not know what documents he got his information from.

5 THE PRESIDENT: That is a matter you can
6 press on us in summation. If Liebert had given no
7 source for his figures, you may have induced us to
8 disregard even what Liebert said. However, we do not
9 want the strength or weakness of Liebert's evidence to
10 be debated now.

11 MR. LOGAN: I ask the Tribunal to examine this
12 document. The author of this issued it in 1937 at a
13 time when there was no reason for him to tell anything
14 other than the truth, and there is no opinion in there
15 forswearing any decision of this Court.

16 I might say that I think the prosecution is
17 carrying this question of opinion evidence a good deal
18 far afield. I do not think it was meant to apply to an
19 observation by an author. It originally referred, as
20 I understood it, to opinions and conclusions which were
21 for the Court to draw.

22 THE PRESIDENT: A Member of the Tribunal would
23 like you to indicate shortly what you have to prove by
24 this document, Mr. Logan.

25 MR. LOGAN: We intend to prove through this

1 the factors which underlay the development of indus-
2 trialization in Japan and to show that it was not de-
3 veloped for any war purposes as the prosecution con-
4 tends.

5 In showing this development of industriali-
6 zation, the author takes into account the geographical
7 condition of Japan; the advantages and disadvantages in
8 connection with Japan's geographical location, and ex-
9 ports and imports from foreign countries; the effect
10 on the industrialization of the population of Japan;
11 the effect on industrialization by reason of Japan's
12 late entrance into the family of nations as an indus-
13 trial nation; the direct causes and effects of her in-
14 dustrialization in recent years such as the world de-
15 pression, the budgetary expansion of the Japanese
16 Government, and the depreciation of the Yen; the fact
17 that Japan as a nation was composed of more small-scale
18 industries and businessmen than any other nation in
19 the world, which would lead to an opposite inference
20 from that drawn by the prosecution of totalitarianism --
21 the reason why Japan was able to manufacture and export
22 goods cheaply was because of the cheapness of labor
23 which was not cheap according to Oriental standards;
24 the characteristics of the development of Japanese in-
25 dustry in recent years which underlay its development

1 and definitely showed that it was not built up for a
2 military purpose as shown by the prosecution.

3 THE PRESIDENT: By a majority, the Court up-
4 holds the objection and rejects the document.

5 MR. LOGAN: We now offer in evidence defense
6 document 683A, an excerpt from the book "Problems
7 of the Pacific", 1936, exhibit 2611 for identifi-
8 cation. This except is an official report of the
9 Conference of the Institute of Pacific Relations and
10 shows succinctly the obstacles to Japan's export
11 trade and the principal commodities affected.

12 I might add that it states facts, your Honor;
13 and, if the prosecution claims it states opinions,
14 I would like to have them point them out.

15 THE PRESIDENT: Brigadier Quilliam.

16 BRIGADIER QUILLIAM: May it please the Tri-
17 bunal, the prosecution objects to this document on
18 the same grounds as in the previous two documents,
19 but I would point out that for anything there that
20 can be called a fact in this document, no authority
21 is given. It is, in other words, an anonymous pub-
22 lication. But it is submitted, as a matter of fact,
23 that the smallest perusal will show that it is really
24 an argument by the writer.

25 MR. LOGAN: I do not know where counsel gets

1 "an argument" when the document, on its face, shows
2 facts. It sets forth the various imports and the
3 various countries which imposed import quotas and tar-
4 iff increases on Japanese goods. Since he has failed
5 to point out a single opinion in the document, I as-
6 sume that he agrees that there are none.

7 THE PRESIDENT: The author of this document
8 is unknown to us. It appears that this was an address
9 delivered at Yosemite National Park. Well, that could
10 be by anybody. The objection seems to be very sound,
11 Mr. Logan.

12 MR. LOGAN: It was printed by the Institute,
13 your Honor. This particular portion is the intro-
14 duction to the book, and it was issued by the Confer-
15 ence itself.

16 THE PRESIDENT: The conference would not have
17 checked up on the facts used by the authors.

18 BRIGADIER QUILLIAM: It was pointed out, may
19 it please your Honor, this morning, when I read from
20 that book of the Institute, the Institute disclaims
21 responsibility for these articles.

22 THE PRESIDENT: All we know is, this is a
23 statement by somebody at a conference in America. That
24 would never do.
25

MR. LOGAN: That statement that Brigadier

1 Quilliam just made, that is not so. That does not
2 appear in this book at all. It is in the other one,
3 Fahs' book.

4 THE PRESIDENT: The objection is upheld and
5 the document rejected.

6 MR. LOGAN: We now offer in evidence defense
7 document 1161(1) which is an excerpt from a book,
8 "Problems of the Pacific" dated 1936, exhibit 2611 for
9 identification, relating to aims and results of social
10 and economic policies in Japan. This excerpt is offered
11 for the purpose of showing that Japan, faced with pro-
12 hibitory tariff legislation in the United States, was
13 required to institute voluntary export quotas with re-
14 spect to various articles of export such as pencils,
15 cotton piece goods, canned and frozen tuna fish, potter-
16 ies, matches, and so forth. Faced with the probability
17 of a complete shut out of certain imports, Japan was
18 required as the only alternative to institute export
19 quota controls; this, in turn, required the Japanese
20 Government to regulate certain export industries in
21 order to stay within the controls and fairly allocate
22 the distribution among the merchants of Japan.

23 THE PRESIDENT: Brigadier Quilliam.

24 BRIGADIER QUILLIAM: May it please the Tri-
25 bunal, this document is on all fours with previous

1 documents. It is another document prepared by an un-
2 named author. It deals with matters that arose in
3 connection with trade conditions some time prior to
4 1936. We say it has no probative value and it is
5 quite irrelevant to the issues in the case.

6 THE PRESIDENT: The author of this document
7 does disclose the name of the author of another docu-
8 ment, but his own name remains unrevealed. The posi-
9 tion is exactly the same. The objection is upheld
10 and the document rejected.

11 MR. LOGAN: I did not have an opportunity to
12 call to the Tribunal's attention before the ruling was
13 made that this document -- I would like to read from
14 the preface: "More than ever before, Yosemite Confer-
15 ence --"

16 THE PRESIDENT: No, you cannot. The document
17 has been rejected because there is no difference be-
18 tween that and the preceding document.

19 MR. LOGAN: We now offer for identification
20 Far East Year Book of 1941.

21 CLERK OF THE COURT: Defense document 501,
22 entitled "Far East Year Book of 1941," will receive
23 exhibit No. 2766 for identification only.

24 MR. LOGAN: We offer in evidence an excerpt
25 from 2766 for identification only, defense document

501A. This document is a graph showing the foreign trade of Japan proper between 1938 and June 1940.

The graph is self explanatory, but we call the Tribunal's attention to the fact that the graph shows an unfavorable trade balance between exports and imports in every year except 1938 and 1939 and January to June of 1940.

THE PRESIDENT: Brigadier Quilliam.

BRIGADIER QUILLIAM: May it please the Tribunal, it would appear that this and the following document to be presented are entirely useless for any purpose in connection with this trial. Were it not for one factor, we would not waste time in objecting to these two papers. But they are taken from a publication called the "Far East Year Book," a publication of which we have had no previous knowledge, and there are other documents to be presented which are taken from this publication.

According to the book itself, it is published by the Far East Year Book, Inc. There is nothing to indicate that it is an official publication or has any official support. It has the appearance of a commercial calendar or directory. So, we object to this document, and we will object to the subsequent documents unless this objection is overruled, on the ground that

1 the document -- the parent document has no probative
2 value.

3 THE PRESIDENT: The mere size of these year
4 books, the range of subjects dealt with, and the
5 amount of money obviously spent on them is some guar-
6 antee that they have some value, surely.

7 MR. LOGAN: The Japan Year Book is not an
8 official publication of the Japanese Government either.
9 They do not claim it is. With regard to this other
10 question of notice, we gave the prosecution notice that
11 that excerpt came from that book. The same objection
12 that was made by the prosecution to this book was
13 identical to those we made to the Japan Year Book, and
14 that was admitted.

15 THE PRESIDENT: Your only objection is that
16 we have no guarantee that this particular year book
17 is a reliable publication.

18 BRIGADIER QUILLIAM: If it please your Honor,
19 I contended in addition that this document is too re-
20 mote, too irrelevant to any issue in this case, to
21 have any value.

22 THE PRESIDENT: I understood you to say --
23 perhaps I was wrong -- that you would not have taken
24 any objection but for the fact that this comes from
25 a document about the authenticity or the value of which

1 we have no evidence. If you have any other grounds
2 of objection, Brigadier, we would like you to state
3 them, and we would like to hear Mr. Logan's reply.

4 BRIGADIER QUILLIAM: What I did say, if it
5 please your Honor, was that we regarded those two
6 papers, this one and the one to be introduced, as so
7 valueless that we would not have objected for that
8 reason only, particularly as no time could be employed
9 in reading them; they cannot be read. But we do con-
10 tend that they are irrelevant to the issues in the
11 case. We cannot see what issue it is suggested this
12 particular paper is related to. I do not know whether
13 the Members of the Tribunal can understand the informa-
14 tion that is on the piece of paper. I have found, I,
15 myself, confess, the greatest difficulty in understand-
16 ing it.

17 MR. LOGAN: I think, your Honor, that this
18 document is quite simple and capable of being under-
19 stood. It shows the unfavorable trade balance between
20 exports and imports in every year except 1938 and '39
21 and January to June of 1940. That has a significance.
22 It further shows exports and imports of Japan by kinds,
23 by countries and by political units in 1939. It has
24 direct bearing on what started this war. There may be
25 some who smile at this, but it is a fact. We have a

1 country here which depended on importation for manu-
2 facturing and exportation of finished products. This
3 chart shows the commodities imported and exported and
4 from what countries they came. And when the economic
5 pressure was applied by these various Western Powers,
6 the effect of it can be readily seen from this chart;
7 and, when the pressure was applied to such an extent
8 that Japan was not receiving any imports and her en-
9 tire life line was threatened, then it is up to this
10 Tribunal to determine whether or not that was the
11 cause of this war.

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1 THE PRESIDENT: I can follow the document.
2 I have no difficulty in reading it. I suppose the
3 purpose is to show that their exports were vastly
4 exceeded by imports. The objection is overruled
5 and the document admitted.

6 CLERK OF THE COURT: Defense document
7 501-A will receive exhibit No. 2766-A.

8 (Whereupon, the document above
9 referred to was marked defense exhibit
10 No. 2766-A and received in evidence.)

11 MR. LOGAN: We now offer in evidence
12 defense document 501-B which is an excerpt from the
13 Far East Yearbook of 1941, exhibit 2766 for
14 identification. This document shows Japan's
15 position in the foreign trade of leading countries
16 in the year 1938. This chart too is self-explanatory.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Defense document
19 501-B will receive exhibit No. 2766-B.

20 (Whereupon, the document above
21 referred to was marked defense exhibit
22 No. 2766-B and received in evidence.)

23 MR. LOGAN: We now offer in evidence
24 defense document 598(5), an excerpt from exhibit
25 2361 for identification (Government in Japan by

1 Charles B. Fahs of the Institute of Pacific Rela-
2 tions) which contains a concise factual account of
3 Japan's finances from 1931 - 1939.

4 THE PRESIDENT: Brigadier Quilliam.

5 BRIGADIER QUILLIAM: If it please the
6 Tribunal, we object to this document on the same
7 grounds as have been heard with other Pacific
8 Institute documents and Dr. Fahs' publications.
9 In substance it is no different from the other
10 documents. It is merely Dr. Fahs' views on finance
11 in Japan.

12 MR. LOGAN: I might say, if the Tribunal
13 please, that we have an affidavit from Charles B.
14 Fahs if there is any question in the Tribunal's
15 mind as to his qualifications as an expert.

16 THE PRESIDENT: We have yet to decide that
17 the evidence he gives should be given by an expert.
18 We did not regard Liebert as an expert in the sense
19 that he could draw conclusions for us.

20 MR. LOGAN: In view of the fact that there
21 have been some previous excerpts from his book
22 accepted by the Tribunal, we did not feel it would
23 be necessary to serve this affidavit. We served
24 it today at noontime in view of the rejection this
25 morning. If it is a question of his qualifications,

1 your Honor, I withdraw the offer of this document
2 until the twenty-four hour period has run out and
3 we can offer it again tomorrow. But I might say --
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1 He has said, in effect, that the prosecution claim
2 that the whole of the industrialization of Japan was
3 for war preparations. That is not and never has been
4 the prosecution contention. We contend that the
5 evidence showed that a considerable part of this
6 industrialization was purely for war purposes, but
7 we recognize that much of it was for ordinary civil-
8 lian economy, was in connection with the ordinary
9 civilian economy.

10 I wish to mention that point now, your Honor,
11 because it is thought by the prosecution that much
12 of the evidence which we suggest is irrelevant, which
13 is about to be introduced, is based on that mis-
14 apprehension.

15 THE PRESIDENT: By a majority, the Court
16 upholds the objection and rejects the document.

17 MR. LOGAN: I might say, your Honor, that
18 on page 8807 when this document was introduced, that
19 is, exhibit 865, the purport does not say that
20 population increase was for war. I shall read it:

21 "It is the mission of the Empire to
22 establish the East Asia Co-Prosperity Sphere and
23 promote its everlasting healthy development. In
24 order to accomplish this mission, it is especially
25 and urgently necessary to promote, by establishing

1 a population policy, the rapid and permanent develop-
2 ment of our country's population and the drastic
3 improvement of its quality..."

4 THE PRESIDENT: We are thoroughly familiar
5 with that document, Mr. Logan. Proceed to tender
6 your next one.

7 MR. LOGAN: There are three pages of
8 explanation of it, your Honor.

9 We now offer for identification, Japan-
10 Manchukuo Yearbook of 1940, and offer in evidence
11 defense document 1703, which is an excerpt therefrom,
12 which shows Japan's position in the birth and death
13 rate from 1932 to 1938 as compared with other countries.

14 THE PRESIDENT: Brigadier Quilliam.

15 BRIGADIER QUILLIAM: May it please the
16 Tribunal, we object to this document on the same
17 grounds as have been previously urged.

18 MR. LOGAN: May I add this, if the Tribunal
19 please?

20 It must be borne in mind that this Planning
21 Board recommendation was in April 1941. Of course,
22 the industrialization plan in Japan had been in
23 existence for many, many years before that; and I
24 am trying to show the necessity for industrialization
25 in Japan. In other words, I am trying to show how

1 Japan set about to solve its population problem.

2 In order to do that, of course, I must show that there
3 was an overpopulation in Japan first. What methods
4 Japan took in order to overcome this difficulty,
5 such as by farming and emigration, proved unsuccessful,
6 and it was necessary that they industrialize. Now,
7 beyond peradventure of a doubt, the prosecution's
8 inference is that her industrial plan was set up for
9 the purpose of a war machine. I believe they have
10 used those exact terms during the course of the pre-
11 sentation of their evidence.

12 THE PRESIDENT: We allow for normal indus-
13 trialization, which of course is a common feature of
14 the economy of all civilized nations in modern times.
15 But an industrialization of an abnormal nature all
16 directed to war and followed by war is in a different
17 category.

18 MR. LOGAN: That is exactly what I am trying
19 to disprove, your Honor.

20 THE PRESIDENT: We invite you to establish,
21 if you can, that Japan's industrialization was normal,
22 having regard to all the circumstances. We must take
23 into consideration Japan's special position. But
24 there is a short way of doing it, Mr. Logan, if it
25 can be done.

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1 MR. LOGAN: I am trying to do that in the
2 most logical way possible, your Honor, by showing
3 the necessity for it in the first place, to show
4 that it was a civilian economy and not a military
5 economy that was built up in Japan and that is why
6 our industrial plan was established. I thought
7 I had clearly explained that in my opening state-
8 ment just how I intended to prove it and how I was
9 going about it.

10 THE PRESIDENT: That ought to be clear on
11 your purposes, Mr. Logan. One of your reasons for
12 war was the blockage of immigration. Now you say
13 you did not really want immigration, you wanted
14 more people for ordinary industrial development.
15 What do you mean? I dislike argument with you at
16 this stage, Mr. Logan, but I would like the defense
17 to make its position clear. Perhaps it may be made
18 clear.

19 MR. LOGAN: At no time have I advocated
20 more people for the development and industrialization
21 of Japan. Our position is this: That Japan is an
22 island nation, she was overpopulated, she tried to
23 overcome that difficulty by various means such as
24 increasing the amount of arable land by increasing
25 the amount of arable land in Formosa and Korea and also

1 by immigration. The first two of those methods met
2 with little success, the third none at all. It was
3 therefore necessary for Japan to devise some means
4 to afford some sort of economy for the people so
5 that they could live in a decent, respectable way.
6 Some industrialization, which came from the Western
7 Powers, was devised as a means of improving livelihood
8 and affording an ordinary civilian economy for the
9 people of Japan. In other words, without industry
10 the people in Japan would have starved. They needed
11 some additional means of earning a livelihood and
12 it was industrialization that was hit upon, not for
13 a war-machine as the prosecution contends. We will
14 show that, in order to "baby" this economy along, in
15 order to help it out, the Government of Japan passed
16 laws to assist it, not for the purpose of a military-
17 machine as the prosecution contends; that this
18 industrialization was a normal, gradual development,
19 not a hurry-up machine for war as the prosecution
20 contends; and that when the freezing orders occurred
21 in July, 1941 the normal civilian economy of Japan
22 was threatened to be shut off and that is what brought
23 about the war. And, as I say, we cannot show the
24 effect of her industrialization unless we are per-
25 mitted to show the cause.

1 THE PRESIDENT: Brigadier Quilliam.

2 BRIGADIER QUILLIAM: May it please the
3 Tribunal, we submit first of all, that the evidence
4 with regard to the decision to increase the population
5 prior to the freezing of assets is quite inconsistent
6 with the present attitude of the defense.

7 Secondly, we submit, that it is altogether
8 unnecessary and too remote to give evidence of
9 population statistics to prove the matters for which
10 the defense are contending.

11 The third point I wish to make is that our
12 criticism of the industrialization policy followed
13 by Japan is the way that industrialization was distorted,
14 perverted for war purposes. We do not challenge
15 the statement that it was desirable in accordance
16 with modern ideas of economy of a country to bring
17 about in a country greater industrialization. What
18 the defense have to answer is the prosecution evidence
19 that this industrialization of Japan came to be used
20 for war purposes. That is the real point in issue
21 and, we submit, the determination of that issue is not
22 assisted by bringing out masses of statistics which
23 nobody is interested in.

24 THE PRESIDENT: We are all prepared to allow
25 for the normal industrialization of Japan from time to

1 time, having regard to her circumstances. That will
2 not be overlooked. It does not require the over-
3 elaboration suggested by the list of documents now
4 being directed to it by the defense.

5 By a majority the Court upholds the objection
6 and rejects the document.

7 MR. LOGAN: We now offer in evidence defense
8 document 1702, an excerpt from the Japan-Manchukuo
9 Year Book for 1940. This excerpt shows the population
10 increase in Japan and the population density of Japan
11 compared with other countries.

12 BRIGADIER QUILLIAM: May it please the
13 Tribunal, we object to this on the same ground.

14 THE PRESIDENT: Obviously it is covered by
15 our previous rulings. The objection is upheld and
16 the document rejected.

17 MR. LOGAN: We now offer defense document
18 598(3), an excerpt from exhibit 2361 for identification,
19 being the introduction to the book "Government in
20 Japan" by Charles B. Fahs of the Institute of Pacific
21 Relations, which sets forth factual historical back-
22 ground of Japan's economic policies, regulations, need
23 for industrial development, economic control, foreign
24 trade and the depression.
25

THE PRESIDENT: Brigadier Quilliam.

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2 BRIGADIER QUILLIAM: May it please the Tribunal,
3 this is the first of seven documents of a similar kind
4 proposed to be introduced. These seven documents com-
5 prise a total of over one hundred pages. They comprise
6 either publications issued by the Institute of Pacific
7 Relations or the reports of proceedings of that Insti-
8 tute. I desire to read, if it please the Tribunal,
9 from a publication of the Institute the following:
10 "The Institute of Pacific Relations is an unofficial
11 and non-political body, founded in 1925 to facilitate
12 the scientific study of the peoples of the Pacific
13 Area."

14 I omit a small portion and proceed: "The
15 Institute as such and the National Councils of which
16 it is composed are precluded from expressing an opinion
17 on any aspect of national or international affairs;
18 opinions expressed in this study are, therefore, purely
19 individual."
20

21 These documents, therefore, are purely indi-
22 vidual opinions about various matters affecting Japan.
23 The particular document now submitted, 598(3), is an
24 extract from a publication written by a Professor Fahs,
25 F-A-H-S, Professor of Oriental Affairs.

THE PRESIDENT: Assistant Professor where?

1 BRIGADIER QUILLIAM: The document does not show,
2 if it please your Honor, but it is issued by this un-
3 official body, the Institute, with the disclaimer of
4 collective responsibility.

5 Even a short, cursory perusal of the docu-
6 ment will show that it contains the opinions, the argu-
7 ments, the conclusions of Professor Fahs with reference
8 to the matters he is discussing. As the prosecution
9 submitted in the first place, the document has no
10 probative value.

11 THE PRESIDENT: We have the burden of drawing
12 conclusions in these matters. We have no authority
13 to shift the burden to any professor.

14 BRIGADIER QUILLIAM: That, if it please the
15 Tribunal, was the submission the prosecution desired
16 to make. I should like to add that in addition to
17 its being objectionable on the ground of its contain-
18 ing opinions, arguments, and matters not a fact, it
19 is objectionable because so much of the material is
20 irrelevant to the issues in this case.

21 MR. LOGAN: I did not expect any objection to
22 this document, your Honor. The Tribunal has already
23 passed on, and it has received three exhibits from
24 it already, 2361-A, B, and C, and they have been
25 read to the Tribunal. This is an extremely impartial

1 study, and I would like to read what the Brigadier
2 omitted from the little preface. "It is composed" --
3 the Institute, "is composed of National Councils in
4 eleven countries;" America, Australia, Canada, China,
5 France, Japan, Netherlands, New Zealand, the Philip-
6 pines, Great Britain, and U.S.S.R. The foreword,
7 which the Brigadier did not read to you, is two and
8 a half pages long, and from that it appears that
9 this Institute meets and studies various problems,
10 and when an article is written by one of the members,
11 it is submitted to the other members for criticisms,
12 suggestions, and corrections, and this foreword was
13 written by the Secretary-General of the Institute.

14 THE PRESIDENT: It is well and favorably known
15 in all Pacific countries, including my own. I do
16 not think any of us want to be told just what the
17 Institute does. It is a very valuable society. But
18 the question for us is, can we allow this proof to
19 form conclusions which it is our duty to draw.

20
21 Your strongest point, Mr. Logan, is that
22 excerpts from this very book, or by this particular
23 man, have already been received. But, it depends
24 on what the majority thinks from time to time.
25 There is no way of controlling what the majority
thinks.

1 MR. LOGAN: I am afraid the Tribunal has been
2 mislead by the Brigadier's characterization of this
3 document as opinions and conclusions. It is extreme-
4 ly factual.

5 Need I call the Tribunal's attention to
6 the fact that when the prosecution witness, Liebert,
7 took the stand and testified, he did not reveal to
8 the Tribunal, and the Tribunal does not know to this
9 day, from what books and documents he got the infor-
10 mation? It may have been from this book. I know
11 some of the documents from which he got it, and
12 they are entirely different than the documents which
13 I will present later.

14 THE PRESIDENT: Is there any connection be-
15 tween these excerpts and those already tendered,
16 Mr. Logan?

17 MR. LOGAN: Yes, they are different. The book
18 is divided into various subjects, and we selected
19 this book out of many because it is very short and
20 concise, and it contains the facts that we want.
21 Rather than burden the Court with a number of ex-
22 cerpts from various books, we thought that this
23 particular one, which is very short, would present
24 it to the Tribunal in the shortest possible manner.
25 ~~It is factual, not opinions.~~

1 THE PRESIDENT: By a majority, the Court up-
2 holds the objection and rejects the document.

3 We will adjourn now until half past one.

4 (Whereupon, at 1200, a recess
5 was taken.)

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AFTERNOON SESSION

1 The Tribunal met, pursuant to recess,
2
3 at 1335.

4 MARSHAL OF THE COURT: The International
5 Military Tribunal for the Far East is now resumed.

6 THE PRESIDENT: Mr. Logan.

7 MR. LOGAN: If the Tribunal please, I would
8 like to address the Tribunal for a moment.
9

10 We of the defense feel that this phase of
11 the case is particularly vital to all the accused.
12 We have examined the evidence put in by the prosecu-
13 tion and carefully prepared the documents which we
14 are offering in this phase, and we have tried to --

15 THE PRESIDENT: Mr. Logan, you can't lec-
16 ture Judges like that. We know how vital the whole
17 case is to the accused and every part of it, and no
18 warning about consequences will have any effect on
19 us. We don't need it. We do our duty regardless of
20 consequences. Every Judge must and does.

21 MR. LOGAN: Far from trying to lecture the
22 Tribunal, I am trying to seek some advice. That was
23 the farthest thing from my mind, your Honor.

24 THE PRESIDENT: You began to tell me how
25 vital it was to you. We know it is, not only this

1 but every other. There is not a charge made that
2 may not have vital consequences for you.

3 MR. LOGAN: Well, the point I wanted to
4 speak about was this: Your Honor mentioned several
5 times that the admission of evidence more or less
6 depends on the composition of the Court at the time
7 the evidence is offered. For example, as to this
8 book by Fahs, three excerpts were accepted when the
9 composition of the Court was different. I have
10 further excerpts from that same book which I think
11 are necessary to introduce and present to the Tribunal
12 for consideration. There were seven members of the
13 Tribunal this morning and there are six this after-
14 noon, which makes quite a difference, I think, in
15 the final result from the Tribunal's previous deci-
16 sions.

17 THE PRESIDENT: It could make a difference;
18 I told you that before the recess.

19 MR. LOGAN: We do not feel at liberty to
20 ask for a further recess. We have the case prepared,
21 but we do think that if we could receive some sort
22 of information from the Tribunal as to when the bal-
23 ance of the Tribunal will be back, we could withhold
24 the offering of those documents until they return.
25

THE PRESIDENT: There is no principle that

1 we must act when the Court is most favorably con-
2 stituted for the defense. We must sit while we
3 have a quorum, and the quorum is six. You must
4 present your case regardless of the constitution
5 of the Court at the time. It may be in your favor
6 to have the Court constituted as it is now, or it
7 may not. I cannot say, and would not say if I knew.
8 I don't know exactly what reasons influenced each
9 Member when he gives his decision. I don't keep a
10 record. Nearly always he doesn't give reasons;
11 he just says yes or no. So proceed, Mr. Logan,
12 regardless of the constitution of the Court for the
13 time being.

14 MR. LOGAN: We now offer in evidence de-
15 fense document 1161 (4), which is an excerpt from
16 the book Problems of the Pacific, 1936, exhibit
17 2611 for identification. This document impar-
18 tially reviews the underlying factors affecting the
19 industrial development of Japan up to 1936, the
20 immediate factors involved, the time factor, the
21 world depression, small-scale industries of Japan,
22 Japanese labor, Japanese organization and legisla-
23 tion, depreciation of the Yen, and the characteris-
24 tics of the development of Japanese industry. I
25 do not propose to read that part of the excerpt

referring to labor organization and legislation.

1 THE PRESIDENT: Brigadier Quilliam.

2 BRIGADIER QUILLIAM: May it please the Tribunal,
3 we object to this document on the same grounds as were
4 urged for the preceding document.

5 THE PRESIDENT: Excuse me, Brigadier Quilliam.
6 Justice Jaranilla has just arrived. I think we will
7 wait until he comes in. He has had some transport
8 difficulties.
9

10 (Whereupon, at 1348 hours, Justice
11 Jaranilla resumed the bench.)

12 Brigadier Quilliam.

13 BRIGADIER QUILLIAM: May it please the Tri-
14 bunal, this document is another product of the Confer-
15 ence of the Institute of Pacific Relations, held in
16 1936. In this instance the author is a certain TAKA-
17 HASHI, a director of an economic research institute
18 in Tokyo. It is submitted that the grounds urged in
19 respect of the previous document apply with equal if
20 not stronger force to this document. I do not propose
21 to repeat those reasons, but I desire to make this
22 additional comment: Mr. Logan has compared the author
23 of a document such as this one of Professor Fahs, and
24 that applies also to the author of this document. He
25 has compared this document with Mr. Liebert's. I desire

1 THE PRESIDENT: In my humble opinion this is
2 not a matter for an expert to testify about. We want
3 the facts and we will draw the conclusions.

4 MR. LOGAN: Well, these are facts, your Honor.

5 THE PRESIDENT: We do not want an expert on
6 facts.

7 MR. LOGAN: Well, whether Fahs is an expert or
8 not I am not qualified to say myself, but here is a
9 document that sets forth the facts with regard to
10 Japan's finances. That is all we are offering it for.

11 THE PRESIDENT: Can't you get them from the
12 Japan Yearbook instead of taking them second hand from
13 this Professor? It would be tragic if the Professor
14 were wrong about his facts and we accepted his reasoning
15 on that basis. Perhaps I should say his editions are
16 full of big sums. We would not take his reasoning in
17 any event. Why should you go to Fahs for a matter that
18 you can get in the yearbook?

19 MR. LOGAN: If the Tribunal please, this
20 Institute of Pacific Relations we consider just as
21 reliable a source as the Far Eastern Yearbook or any
22 other yearbook. When we offer something from the Year-
23 book they object to it; if we offer something from Fahs
24 they object to it; if we offer something from Fahs
25 they object to it. What are we going to do?

We are trying--

1 THE PRESIDENT: We could, if we would like,
2 tak a risk and perhaps we will say we will accept
3 these statements of fact and let the prosecution rebut
4 them later if they are not correct.

5 I think some of my colleagues are of the
6 opinion that they are not relevant in any case but
7 we have not heard you on that.
8

9 MR. LOGAN: This document goes into the
10 amount of money that was set forth for military
11 expenditures, comparison between Japan's budget and
12 that of the United States showing that they increased
13 at about the same rate of speed. It also talks
14 about the bonds and the gold and silver production,
15 mobilization of supplies of precious metals. It
16 also explains the purpose of the Emergency Capital
17 Adjustment Law of September 1937, which was expounded
18 fully by Liebert with a different connotation attached
19 to it. It also explains some other tax laws and acts
20 which were touched on by Liebert.

21 THE PRESIDENT: Brigadier Quilliam.

22 BRIGADIER QUILLIAM: May it please the
23 Tribunal, I suggest that the question of the rele-
24 vancy of this document can be tested quite simply. I
25 suggest that Mr. Logan show the Tribunal where this

1 document disagrees or agrees with Mr. Liebert. He
2 says he deals with matters touched upon by Mr.
3 Liebert. If he agrees with Liebert there is no
4 need for the document; if he disagrees, let us know
5 where it is.

6 THE PRESIDENT: That is a good suggestion.
7 You might consider it during the recess, Mr. Logan.

8 We will recess for fifteen minutes.

9 (Whereupon, at 1445, a recess was
10 taken until 1500, after which the proceedings
11 were resumed as follows:)

12 MARSHAL OF THE COURT: The International
13 Military Tribunal for the Far East is now resumed.

14 THE PRESIDENT: Mr. Logan.

15 MR. LOGAN: I have not been able to find this
16 particular one in the short space of time that I had
17 in Liebert's testimony, but there are other laws
18 mentioned in this document, too, as well as that
19 particular one.

20 THE PRESIDENT: By a majority, the Court
21 upholds the objection and rejects the document.

22 MR. LOGAN: We offer in evidence thirty-seven
23 defense documents from 500-A-1 to 500-A-37, inclusive.
24 These are studies of special Japanese trades and
25 industries prepared for the Foreign Economic

1 Administration by a member of the staff of the United
2 States Tariff Commission in 1944 and 1945. We do
3 not propose to read these documents, but we are
4 offering them for future reference and for the assist-
5 ance they will be to the Tribunal.

6 These studies show the large number of trades
7 and industries in Japan whose very existence depended
8 on the importation of raw material and the exportation
9 of finished products. It will be shown later that
10 economic sanctions were aimed to strangle these
11 industries.

12 As these studies were made during the progress
13 of the war they do contain biased opinions with
14 respect to the purposes of the industries. We are
15 offering the documents for the factual information
16 therein and are requesting that the opinions be dis-
17 regarded by the Tribunal. The products, trades, and
18 industries listed in these documents in numerical
19 order are as follows:

20 Cement, aluminum, lead, copper, coal, rice,
21 pottery, toys, glass and glassware, menthol, tea,
22 soybeans, phosphate rock, fats, oil and oil-bearing
23 material, hides and skins, tanning materials, leather
24 and leather manufactures, special industries analysis,
25 potassium salts, wheat and wheat flour, zinc, sugar,

1 lumber, textile machinery, sulphur and sulphuric acid,
2 wool and wool manufactures, marine products, soda ash
3 and caustic soda, chemical nitrogen, rayon yarn and
4 staple fibre, bicycles, electrical equipment, silk
5 fabrics, cotton textiles, rubber and rubber manu-
6 factures, rayon fabrics, and raw cotton.

7 THE PRESIDENT: Brigadier Quilliam.

8 BRIGADIER QUILLIAM: May it please the
9 Tribunal, as Mr. Logan has said, there are no less than
10 thirty-seven documents in this present offer. The
11 reproduction is on photostatic paper, and each docu-
12 ment has from fifteen to twenty-five pages.

13 In a note under the cover page of the first
14 document it is pointed out that the reports were not
15 reviewed by the Tariff Commission. It also states
16 that all statements of fact or opinion in these re-
17 ports are attributable to the individual staff mem-
18 bers who prepared them. In the foreword on the next
19 page, a warning is given. It is pointed out that
20 errors and inconsistencies frequently have been
21 detected in the official and semi-official Japanese
22 sources upon which the data are built, and that much
23 of the data is irreconcilable.

24 As has been pointed out, they cover a very
25 wide range of subjects. They were prepared in 1944

1 lumber, textile machinery, sulphur and sulphuric acid,
2 wool and wool manufactures, marine products, soda ash
3 and caustic soda, chemical nitrogen, rayon yarn and
4 staple fibre, bicycles, electrical equipment, silk
5 fabrics, cotton textiles, rubber and rubber manu-
6 factures, rayon fabrics, and raw cotton.

7 THE PRESIDENT: Brigadier Quilliam.

8 BRIGADIER QUILLIAM: May it please the
9 Tribunal, as Mr. Logan has said, there are no less than
10 thirty-seven documents in this present offer. The
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14 document it is pointed out that the reports were not
15 reviewed by the Tariff Commission. It also states
16 that all statements of fact or opinion in these re-
17 ports are attributable to the individual staff mem-
18 bers who prepared them. In the foreword on the next
19 page, a warning is given. It is pointed out that
20 errors and inconsistencies frequently have been
21 detected in the official and semi-official Japanese
22 sources upon which the data are built, and that much
23 of the data is irreconcilable.

24 As has been pointed out, they cover a very
25 wide range of subjects. They were prepared in 1944

1 and 1945, obviously in anticipation of the occupation
2 of Japan. In other words, they were not prepared in
3 any way in anticipation of these proceedings.

4 They undoubtedly contain some material
5 that is relevant. They contain, however, very, very
6 much more that is quite irrelevant to the issues in
7 this case. They contain full surveys and analyses
8 of various trades whether related to war purposes or
9 not. They discuss production and productive capacity,
10 imports, exports, supply and demand, consumption and
11 stocks, all without reference to the issues here.
12 They discuss postwar problems and other matters that
13 have no application.

14 May it please the Tribunal, we respectfully
15 submit that this is not the way to present evidence.
16 I recognize that my learned friend has said that he
17 does not propose to read from this mass. That great
18 big pile is tossed to the prosecution and the Tribunal,
19 and the prosecution and the Tribunal are left to find
20 out what parts of all this information are relevant.
21 I suggest that Mr. Logan has failed to inform us
22 adequately of the purpose of putting in these documents.
23 And the pile that the Members of the Tribunal have
24 before them now is only one of several piles of the
25 same kind. One contains 220 pages of single-line

typing, and another, sixty-eight.

1 It is submitted that these documents should
2 be rejected and the defense required to produce them
3 in some kind of proper order.
4

5 THE PRESIDENT: Would that make them
6 acceptable to you, or to us, in your opinion?
7

8 BRIGADIER QUILLIAM: If it please your
9 Honor, if the relevant material were extracted, then
I haven't any doubt whatever we would welcome them.

10 THE PRESIDENT: But the cover note says that
11 the statements are irreconcilable.

12 BRIGADIER QUILLIAM: But I am conceding, if
13 it please your Honor, that there are, scattered
14 through the documents, pieces of information that
15 might be termed relevant.

16 THE PRESIDENT: Can't we get them in Japan
17 from Japanese sources, or in Washington from other
18 sources than this?
19

20 BRIGADIER QUILLIAM: We were thinking, if it
21 please your Honor, of endeavoring to save time in
22 this instance. If the defense would come to us and
23 show us precisely what uses they propose to make,
24 what parts it is proposed to use, we would be in a
25 position to consider the matter properly. As it is, an
enormous amount of paper has been used -- we submit,

1 unnecessarily -- and the very object of this long
2 recess has not been taken advantage of in respect of
3 these documents.

4 THE PRESIDENT: Well, you suggest that these
5 documents contain a lot of material upon which you
6 are prepared to agree with the defense.

7 BRIGADIER QUILLIAM: Not a lot, if it please
8 your Honor. I merely say that there is relevant
9 evidence contained in this big mass.

10 THE PRESIDENT: Perhaps you will admit enough
11 of it for the defense purposes, and can agree on a
12 separate statement than appears here.

13 BRIGADIER QUILLIAM: We would be very happy,
14 sir, to consider a request to admit parts of these
15 documents, but we object to their being admitted in
16 their present form without any intimation as to what
17 use is to be made of them, and containing as they do
18 so much that is quite irrelevant.

19 THE PRESIDENT: Well, we cannot accept that
20 bundle in that condition. The cover note is a warning.
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1 MR. LOGAN: If the Tribunal please, you have
2 made a suggestion that we might get some data from
3 Washington. That is where this comes from.

4 THE PRESIDENT: I said from other sources in
5 Washington, from sources that wouldn't be the discussion
6 of a cover note, "This material is irreconcilable in
7 parts." I think, Mr. Logan, you had better try to
8 arrange with the prosecution to accept as much of this
9 as you think will help. At this stage of the case we have
10 no time to read that mass of material with a view to
11 extracting what is relevant and helpful. Speaking for
12 myself, that cover note would prevent me from reading a
13 line of it, and yet we are told there may be some valuable
14 material in it.

15 MR. LOGAN: I might say this that might clarify
16 the Tribunal's position: that these documents have been
17 offered and that they will be referred to later. I don't
18 intend to burden the Court by reading any part of them,
19 but they do contain factual information by which we in-
20 tend to show that the economic sanctions as applied by
21 the Western Powers hit these particular industries which
22 are vital to Japan.

23 THE PRESIDENT: Could you indicate the pages you
24 would like us to read, Mr. Logan?

25 MR. LOGAN: I don't ask the Tribunal to read any

1 of them at this time. All I ask is that they be
2 introduced into evidence, and later on when we refer
3 to these documents we will refer to the pages and
4 particular subject matter included in the documents.

5 THE PRESIDENT: Will you refer to them for
6 the first time during your summation?

7 MR. LOGAN: That is right.

8 THE PRESIDENT: Every Member of this Court
9 wants to read all the evidence that you are going to
10 address the Court on; every Member wants to read the
11 evidence from day to day, the evidence upon which you
12 are relying. We do not want to wait for your summation.

13 MR. LOGAN: Can we prepare a summary of all
14 we expect to rely on and refer to it, refer to the pages
15 where the information appears?

16 THE PRESIDENT: Well, I think it is a matter
17 for agreement between the parties, actually. We do not
18 want to tell you now that we will accept a summary only
19 to find the prosecution raising later on sound objection
20 to it.

21 MR. LOGAN: I have just been informed that the
22 original document is marked at the parts we intend to
23 rely on. We could mark the copies.

24 THE PRESIDENT: Well, the prosecution may, if
25 they see what is marked, agree to accept it.

1 MR. LOGAN: I might mention that the biased
2 statements that are contained in this are in favor of
3 the United States and against Japan, which I ask the
4 Tribunal to disregard.

5 THE PRESIDENT: I am afraid, Mr. Logan, that
6 you had better withhold this document or withdraw it
7 for the time being and attempt an agreement.

8 MR. LOGAN: All right, I will withdraw it for
9 the time being.

10 Defense document 500-E is offered in evidence,
11 that is, that part which is marked on all copies. This
12 is a study of the trade of Japan proper, including that
13 with Korea and Formosa, prepared for the Foreign
14 Economic Administration by members of the staff of the
15 United States Tariff Commission, September 1945. The
16 factual information and data contained in this document
17 is offered in evidence, or the parts marked, and it is
18 requested that any opinions contained therein be dis-
19 regarded by the Tribunal. We propose to read only the
20 marked portions referred to on certain designated pages.

21 THE PRESIDENT: Brigadier Quilliam.

22 BRIGADIER QUILLIAM: May it please the Tribunal,
23 this voluminous document, 220 pages, has been marked in
24 certain places which one can find by careful examination --
25 marked portions. I think the first is under the heading

1 "Rice." Unfortunately, there is no page number to
2 distinguish it. And then on the following page, a
3 small piece. And then one goes on for several pages
4 before discovering another marked portion. We say
5 that all except the marked portions -- and I don't
6 admit that the marked portions are all relevant -- but
7 certainly everything except the marked portions is
8 wholly irrelevant. Why, then, put in 220 pages of a
9 document to use, perhaps, half a dozen pages? We
10 suggest that the same procedure should be adopted
11 with this and the other documents of this kind as has
12 been adopted in connection with the preceding ones.

13 MR. LOGAN: I really am at a loss, your Honor.
14 Documents that are not marked, they object to. Ones
15 in which we have marked the parts we want to read; that
16 is all we are offering -- not unmarked parts. He says
17 the parts unmarked are irrelevant. Of course they are.
18 We are not offering them. All we are offering is the
19 unmarked parts.

20 THE PRESIDENT: But why did you photostat
21 scores of pages without any markings, if you did?

22 MR. LOGAN: If the Tribunal please, under
23 6-1(b) we have to go through a good deal of time and
24 trouble in getting excerpts. We thought we would
25 present the entire document to the Court so that the

1 Court could see we are not offering parts of a document
2 covering up half a sentence here and half a sentence
3 there. We are giving the entire document for the
4 benefit of the Tribunal and only reading and only
5 offering those portions that we think are material.

6 THE PRESIDENT: Well, do meet the prosecution
7 with a view to reducing the bulk of this material. I
8 see there is another lot of photostatic copies coming
9 in. The same would apply to that.

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1 MR. LOGAN: There is only a portion of
2 about 25 pages that I intended to read from this
3 document. They are all marked on the prosecution's
4 copy and I believe the portions I intended to read
5 are all marked on the Tribunal's copies.

6 THE PRESIDENT: Are you pressing any objection
7 on the ground of irrelevancy, Brigadier?

8 BRIGADIER QUILLIAM: If it please your
9 Honor, yes. We submit that all the marked portions
10 are irrelevant. They contain material that has no
11 real relation to the issues in this case about
12 economic matters. But, we hope that the defense
13 will see the wisdom of trying to suggest a small
14 part of this bulk of 220 pages and we will do our
15 best to meet them.

16 THE PRESIDENT: Well, do you think that
17 some of them or part or parts may be relevant?

18 BRIGADIER QUILLIAM: Yes, your Honor, I
19 think it might be found by a careful examination, but
20 if one takes the very first marked portion about rice,
21 I suggest there isn't a single word in that that is
22 relevant to this case. And I must confess that I
23 myself haven't had time to go through this bulk,
24 especially as I started first on the 37 documents, to
25 determine just what is relevant and what is not in

1 every instance.

2 MR. LOGAN: Of the 26 pages marked, your
3 Honor, I do not think there is a total of 10 complete
4 pages that we intended to read. I cannot see what
5 more careful selection could have been made than
6 that.

7 THE PRESIDENT: Do try to settle it between
8 yourselves. We waste too much time here on details.

9 MR. LOGAN: Well, I think the material con-
10 tained in this particular document is very material
11 and relevant to the issues of the case. Brigadier
12 Quilliam cannot see the materiality of rice in this
13 case, but I think the Japanese understand the
14 materiality of it.

15 BRIGADIER QUILLIAM: I suggest, may it
16 please your Honor, that the Tribunal examine the
17 relevancy of the information about cattle on page 15.

18 MR. LOGAN: It seems to me, if the Tribunal
19 please, that the prosecution by making derogatory
20 remarks do not quite understand what we are trying
21 to prove in this case. We are trying to show Japan's
22 economy. It was necessary for her in order to
23 support the population that she have certain imports
24 and that her own economy was not sufficient to take
25 care of the people of Japan, and that later on, when

1 she was choked off from obtaining those imports
2 which were vital to her economy and her welfare
3 and her livelihood, she had to go somewhere to
4 get that food. And we cannot show the effect of
5 those economic sanctions and embargoes and show
6 which materials were choked off from Japan with-
7 out showing the necessity for the materials she
8 needed.

9 THE PRESIDENT: The prosecution having
10 grasped the points you are making, may now be more
11 ready to admit some of the material to which they
12 objected. But, to save the time of this Court
13 do try to agree on it, Mr. Logan. If you cannot,
14 we will have to decide, but I hope not. I suggest
15 you withdraw this document for the time being with
16 the view to getting an agreement, if you can, to save
17 us time. If you cannot agree, we must then decide.

18 MR. LOGAN: I withdraw it for the time
19 being, your Honor, but I do not think there is any
20 chance of agreeing with the prosecution on anything.

21 We offer in evidence defense document 500C,
22 which is a report prepared for the United States
23 Foreign Economic Administration on the Shipbuilding
24 Industry of Japan and is dated July 4, 1945. This
25 document is a comprehensive study of the shipping

1 industry. This document contains maps setting forth
2 the principal Japanese steamship routes, portrays
3 the part which the shipping industry played in the
4 economy of Japan in the prewar period.

5 In setting forth the merchant ship
6 construction, it traces the historical background of
7 Japan's shipping industry, the availability of
8 shipbuilding material, costs and reasons for subsidies.
9 It also presents facts with respect to merchant ship
10 operation, its development, ownership, and reasons
11 for government aid to shipping, commodities carried
12 in the export-import trade throughout the world, and
13 trade in the regional areas of the world. It will
14 be noted that this document also contains bias in
15 the form of opinions unsupported by the factual
16 statements contained in the report. It is respect-
17 fully submitted that the Tribunal reject these biased
18 opinions. Obviously this report was not prepared
19 for use in these proceedings and the bias expressed
20 invades the province of the Court.
21

22 I intend to only read certain marked
23 excerpts in the document.

24 THE PRESIDENT: Brigadier Quilliam.

25 BRIGADIER QUILLIAM: May it please the
Tribunal, it is not pleasant to have to come forward

1 and make exactly the same kind of representations
2 time and time again. This is exactly on all fours
3 with the previous document. This traces the
4 development of Japanese shipping since 1885 and goes
5 into a whole lot of other irrelevant matters. We
6 suggest that this document should be withdrawn as were
7 the others and an attempt made to put before the
8 Tribunal only the relevant portions.

9 THE PRESIDENT: Mr. Logan, do you wish to
10 say anything?

11 MR. LOGAN: I do not know what else we can
12 do, if the Tribunal please. We marked the portion
13 we intend to use. I mean we weren't consulted by
14 the prosecution as to what evidence they should
15 introduce or not. I withdraw it and will try to get
16 together with them, but I have no hopes.

17 We now recall the witness Kikusaburo OKADA.
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- - -

OKADA

DIRECT

1 K I K U S A B U R O O K A D A, recalled as
2 a witness on behalf of the defense,
3 having previously been sworn, testified
4 through Japanese interpreters as follows:

5 THE PRESIDENT: You are still on your
6 former oath, witness.

7 DIRECT EXAMINATION

8 BY MR. LOGAN:

9 MR. LOGAN: May the witness be shown
10 defense document 1786?

11 (Whereupon, a document was handed
12 to the witness.)

13 Q With the exception of two changes on page
14 3 and one on page 4, which I will read and call
15 the Tribunal's attention to when I come to it, is
16 that your affidavit?

17 A Yes.

18 Q Are the statements contained in that
19 affidavit true and accurate?

20 A Accurate and true.

21 MR. LOGAN: I offer it in evidence.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Defense document
24 1786 will receive exhibit No. 2767.

25 (Whereupon, the document above

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referred to was marked defense exhibit
No. 2767 and received in evidence.)

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1 MR. LOGAN: "I, OKADA, Kikusaburo, having first
2 duly sworn according to the customary form as in
3 attached formula depose and state as follows:

4 "I had been in the service with the Mobil-
5 ization Plans Bureau of the War Ministry since 1935,
6 and was the Chief of the Preparation Section since
7 March 1940 to March 1943. Because of my position,
8 I am acquainted with the status of Japan's war re-
9 sources prior to the outbreak of the Pacific War.

10 "I. On Storage of Oils and Other War
11 Resources.

12 "1. The Japanese Army had stored some of
13 the important war resources which Japan lacked,
14 under the term of 'Materials for War Preparations.'
15 It was merely a small amount of materials that had
16 originated from the remains of materials after the
17 Russo-Japanese War. Especially, as to oils which
18 had been the vital resource for Japan, she was
19 completely lacking in storage until the outbreak of
20 the China Incident.
21

22 "2. It was with the six-year plan of com-
23 pletion of armament starting in 1937 that the army
24 intended to store oils for the first time. Accord-
25 ing to the plan merely 200 thousand Koku, i.e.

~~approximately 36,000 k.l.-odd was planned to be stored~~

1 until 1943. (1 kilolitre makes 5.54 koku.) Even
2 this small-scale storage of oils had not actually
3 come underway until the day of the Lukouchiao In-
4 cident.

5 "3. At the outset of the China Incident
6 it became impossible for the army to neglect the
7 lack of storage of oil. American crude oil was
8 rapidly bought up in the fall of 1937, and the min-
9 imum of aviation oil was secured for the Army.
10 This was the first occasion of the Army's storage
11 of oil. With this increased activity, the amount
12 obtained was barely sufficient to satisfy the needs
13 of the Army's air power for a year at that time,
14 even if the civilian storage of oil was put to-
15 gether with the Army's.

16 "Although the Navy had been storing oils
17 previously and civilians also were under obligation
18 to storing oil, Japan, as a whole, was woefully
19 lacking in oil.
20

21 "4. Since then, because the China Incident,
22 contrary to our expectations, had not simply settled,
23 and because the United States had gradually strength-
24 ened the 'moral embargo' on the other hand, Japan
25 also had to store strategic resources as much as
possible. She repeated special importations of oils

OKADA

DIRECT

1 and other resources that she was lacking, in
2 addition to the ordinary importation of them.

3 "The 'initiative' of the special impor-
4 tations had every time been taken by the army,
5 whose sponsor was always the Preparation Section
6 of the Mobilization Plans Bureau of the War Mini-
7 stry of which I was the responsible person. Japan
8 had no idea of general embargo of the foreign trade
9 before the summer of 1940.

10 "5. In January, 1940, the Commercial Treaty
11 between Japan and the United States lapsed. As
12 aggravated economic pressure was applied to Japan --"
13 the next clause is deleted -- "Japan made a further
14 jump in its policy of storing strategic resources.

15 "In the summer of the same year I had pro-
16 posed a study of supply and demand of materials in
17 case of the worst to the director-general, TAKEUCHI --"
18 his name is inserted there -- "of the Planning Board,
19 which was subsequently adopted. It was a study, sub-
20 ject to a certain assumption, for Japan to maintain
21 the current conditions of national economy for at
22 least two years in case she should be under economic
23 blockade. By utilizing this study thereafter --"
24 insert the word "thereafter" -- "I conceived an
25 idea to reinforce the strategic fragility of Japan's

1 economy --" strike out the rest of that sentence
2 and insert this, "and arrive at a certain plan.
3 With an approval of the cabinet, the special im-
4 ports to some extent were made and the storage was
5 notably increased. For the first time there had
6 been thus arranged the minimum preparation to face
7 the economic blockade.

8 "In spite of the fact that the first study
9 was simply a study, Admiral YOSHIDA, the minister
10 of the Navy at that time, had strictly prohibited
11 participation of the staff of the Navy Ministry
12 with it.

13 "Besides I hereby make it clear that I had
14 never taken any order or directive from my superiors
15 beforehand concerning the proposals I made on these
16 two occasions.

17 "II. Attempts to Surmount the Crisis by
18 Pushing Synthetic Oil Industry.

19 "6. I have already testified to the cir-
20 cumstances, in which development of peacetime
21 economy and plan for industrial construction for
22 the purpose of securing safety against Soviet were
23 seriously hampered because of the China Incident.
24 Above all the synthetic oil industry was the hardest
25 hit.

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1 "The synthetic oil industry, which to start
2 out with needs an immense volume of steel for
3 (factory) construction, became incompatible with
4 military demand for steel for the China Incident.
5 Especially manufacturing of high pressure response
6 pipes and assorted pipes was restricted by the
7 domestic capacity of production. Because of the
8 China Incident, additional demand for enormous
9 volume of coal presented a puzzle for the future
10 of the industry. Difficulties in getting cobalt
11 as a catalyst could not be belittled. What is
12 more, as a fundamental problem there was even a
13 technical incompleteness.

14 "In order to tide over these obstacles
15 once and for all, it was planned to import technique,
16 equipment and materials largely and widely by taking
17 advantage of the Trade Agreement between Japan and
18 Germany. However, this plan also resulted in fail-
19 ure due to the outbreak of the European War in
20 August 1939.

21 "7. After that, early in 1941, when diplo-
22 matic relations with the United States became worse,
23 a rapid attempt was made to develop the synthetic
24 oil industry to avert the crisis, disregarding the
25 fact that the synthetic oil industry was in such

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difficulties as above-mentioned.

1 "That is to say, in early 1941 the KONOYE
2 Cabinet - in the cabinet meeting, omitting the
3 traditional conference between ministries - once
4 and for all decided the matter of rapidly expedit-
5 ing the synthetic oil industry, which was planned
6 originally by the Commerce and Industry Ministry.
7 The goal of production was set at 2,000,000 tons
8 annually, but after attaining that goal it was
9 intended to increase further up to 4,000,000 tons
10 annually. We believed then that the plan could
11 not be materialized without adjusting such funda-
12 mental national policies to face the China Incident
13 as to the attitude of the state, scale and speed
14 in completing armaments, and so on. The plan, how-
15 ever, was decided in the cabinet meeting, giving us
16 no time to process such opinion fully to our
17 superiors.
18

19 "As anticipated, the government before long
20 came to a sad plight in endeavoring to decide in the
21 cabinet meeting the annual mobilization plan of
22 materials, whose contents were quite contrary to
23 the above plan. On making the decision, however,
24 the government had been so seriously worrying
25 politically that the government had no intention of

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1 abandoning the previous plan.

2 "The method appearing in Prince KONOYE's
3 memoirs, to surmount the crisis with 4 million tons
4 of synthetic oil was based on the above mentioned
5 plan, which never materialized.

6 "8. In October 1941 when the TOJO Cabinet
7 was formed various investigations were urgently and
8 seriously conducted by the demand of the prime
9 minister himself, in order to find out the final
10 decisions on national policies. Among the sub-
11 jects of the investigations were the one to avoid
12 war by rapid and large-scale expansion of the syn-
13 thetic oil industry. We were ordered to invest-
14 igate as to the possibility of the idea.

15 "Finance Minister KAYA proposed on the
16 floor of the Liaison Conference on 28 October 1941
17 that the government should tide over the crisis
18 and avert war by executing the 4 million ton plan
19 of synthetic oil and by putting it together with
20 storage of oils of the army and the navy. That is,
21 in early morning of the next day, the 29th, I was
22 informed by the Chief of the Bureau of the matter
23 and asked for my opinion on it.

24 "In response to our report of 'impossible,'
25 War Minister TOJO expressed dissatisfaction, ordered

1 more fundamental investigation, and requested the
2 Planning Board to make a thoroughgoing investi-
3 gation of it in his capacity as Prime Minister.

4 "Finance Minister KAYA further suggested
5 production of 2,500,000 tons of synthetic oil by
6 1946 - putting the rest off for later years, and
7 to make clear the quantity to be allocated each
8 year. Director-general SUZUKI of the Planning
9 Board, also, expressed his view that he would like
10 to execute a plan to produce 2 million tons of the
11 synthetic oil - using 500,000 tons of steel in two
12 years. I was informed by the Bureau Chief of this
13 and conducted the investigation.

14 "The foregoing statement is the enumeration
15 of the facts that there were continued efforts to avoid
16 the Pacific War, even in the last stage, in the
17 form of economic or technical counter-measure of
18 pushing the synthetic oil industry, as well as the
19 efforts in diplomatic activities.

20 "9. After that, even the Planning Board
21 reached the conclusion that rapid and major develop-
22 ment for the synthetic oil was impossible at that
23 stage.
24

25 "The following is the outline of the part
relating to the synthetic oil in the report which

1 the Director-General SUZUKI of the Planning Board
2 submitted to the Imperial Conference of 5 November
3 1941 and which for the first time put an end to
4 discussions among government officials on synthetic
5 oil.

6 "(1) Assuming that 5,200,000 tons of
7 synthetic oil would be produced, the necessary
8 personnel and materials were:

9 "Steel	2,250,000 tons
10 "Cobalt	1,000 "
11 "Coal	30,000,000 "
12 "Funds	¥ 3,800 millions
13 "Coal Workers	380,000 persons

14 "(2) Assuming to have been able to obtain
15 them, necessary time for construction of the plants
16 was:

17 "Approximately 6 months - for low-temperature
18 carbonization plant.

19 "Approximately 2 years - for synthetic plant
20 and hydrogen-attaching plant.

21 "(3) Besides when closely examining the
22 domestic capacities to produce high-pressure reaction
23 pipe and various 'pipes' it was nearly impossible to
24 secure self-supporting policy of liquid fuel in a
25 short time by solely depending upon synthetic oil.

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1 And even though to invoke power of authorities,
2 it would take at least 7 years.

3 "(4) Therefore it is not proper under the
4 urgent situations to depend solely upon synthetic
5 oil.

6 "III. Judgement on National Power under
7 Hypotheses to Open War in April, 1941.

8 "10. Since January 1941, the Preparation
9 Section of the Mobilization Plans Bureau, War Mini-
10 stry, reached a conclusion that they should avoid
11 the commencement of war, as a result of making an
12 investigation of the national power in regard to
13 the two hypotheses of 'opening war on April 1, 1941'
14 or 'maintaining the status quo.' The findings of
15 the investigation were reported to War Minister
16 TOJO and Chief of General Staff SUGIYAMA, both of
17 whom approved the conclusion to avoid the opening
18 of war. I was the person who had supervised and
19 commanded the investigation, and had explained and
20 reported the findings of the investigation to the
21 Minister and the Chief of Staff, and after my report
22 they approved it.

23
24 "As is seen in the attached certificate (a),
25 the originals of these two reports were burnt. But
as I retain in my possession the copies of these

1 reports distributed to me as sectional chief at
2 that time, I am able to produce them.

3 "Besides, prior to the investigation, no
4 other organization in our country had conducted an
5 investigation of that kind. And also I had never
6 taken orders nor directives in advance concerning
7 the investigation from the superiors.

8 "11. 'Absolutely no war with the Soviet'
9 was the condition in investigating what happens
10 in case of 'opening war.' The judgement in the
11 report - which I wrote personally - was that 'the
12 national strength of the Empire viewed from the
13 aspect of the materials in our country cannot be
14 safe in carrying out a protracted war against Britain
15 and the United States,' and also that 'we will have
16 enough strength roughly about the end of two years
17 to crush the enemy. However, there is an apprehen-
18 sion that at about that time a shortage of liquid
19 fuel, at least for a limited period of time, may
20 be experienced and that the economic potential will
21 be much disturbed if the war should be protracted.'

22 "As an official document the entire judge-
23 ment does not exist today as stated above, but from
24 a copy in my possession I am submitting a portion
25 that contains the judgement as Annex I.

1 "Moreover the part of the investigation
2 concerning liquid fuel recognized that 'there will
3 be no shortcomings for various operations for the
4 first year,' and judge 'for the second year, though
5 there will be no difficulties for air operations,
6 heavy oil allotted for sea operations is likely
7 to meet the demand for a decisive battle.' We
8 presumed, however, that in case resources in the
9 Netherland Indies could be caught intact and in
10 good condition, the fuel crisis would not arise in
11 the latter half of the second year."

12 THE PRESIDENT: There you finish with fuel.
13 You next go on to shipping.

14 We will now adjourn until half past nine
15 tomorrow morning.

16 (Whereupon, at 1600, an adjournment
17 was taken until Tuesday, 5 August 1947, at
18 0930.)
19

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